

**OFFICIAL JOURNAL  
OF THE  
SENATE  
OF THE  
STATE OF LOUISIANA**  
**TWENTY-SIXTH DAY'S PROCEEDINGS**

**Thirtieth Regular Session of the Legislature  
Under the Adoption of the  
Constitution of 1974**

Senate Chamber  
State Capitol  
Baton Rouge, Louisiana

Monday, May 17, 2004

The Senate was called to order at 5:00 o'clock A.M., by Hon. Donald E. Hines, President of the Senate.

**ROLL CALL**

The roll being called, the following members answered to their names:

**PRESENT**

Mr. President	Dupre	Lentini
Adley	Ellington	Malone
Amedee	Fields	Marionneaux
Bajoie	Fontenot	McPherson
Barham	Gautreaux, B	Michot
Boasso	Gautreaux, N	Mount
Boissiere	Hainkel	Nevers
Cain	Heitmeier	Romero
Chaisson	Hollis	Smith
Cheek	Irons	Theunissen
Cravins	Jackson	Ullo
Dardenne	Jones	
Duplessis	Kostelka	
Total—37		

**ABSENT**

Holden	Schedler
Total—2	

The President of the Senate announced there were 37 Senators present and a quorum.

**Prayer**

The prayer was offered by Dr. Ken Ward, following which the Senate joined in pledging allegiance to the flag of the United States of America.

**Reading of the Journal**

On motion of Senator Bajoie, the reading of the Journal was dispensed with and the Journal of yesterday was adopted.

**Morning Hour**

**Petitions, Memorials and  
Communications**

The following petitions, memorials and communications were received and read:

**DEPARTMENT OF ENVIRONMENTAL QUALITY**  
State of Louisiana

May 12, 2004

The Honorable Don Hines, President  
Louisiana State Senate  
Post Office Box 94183  
Baton Rouge, LA 70804

Dear Senator Hines:

I have appointed Ms. Karen K. Gautreaux to serve as Deputy Secretary of the Department of Environmental Quality for a period of four years.

In accordance with the mandates of the Louisiana Constitution and Title 36 of the Louisiana Revised Statutes, I am submitting the following information on Ms. Gautreaux and respectfully requesting Senate confirmation of her appointment.

**Deputy Secretary of Environmental Quality**

(Effective February 20, 2004)

Karen K. Gautreaux

Thank you in advance for your consideration of this request. Please contact my office should you need additional information.

Sincerely,  
**MIKE D. MCDONALD, PH.D.**  
Secretary

**DEPARTMENT OF HEALTH AND HOSPITALS**  
State of Louisiana

May 12, 2004

The Honorable Don Hines, President  
Louisiana State Senate  
Post Office Box 94183  
Baton Rouge, LA 70804

Dear Senator Hines:

I have appointed Raymond A. Jetson to serve as Deputy Secretary of the Department of Health and Hospitals effective March 12, 2004.

In accordance with the mandates of the Louisiana Constitution and Title 36 of the Louisiana Revised Statutes, I am submitting the following information on Mr. Jetson and respectfully requesting Senate confirmation of his appointment.

**Deputy Secretary of Health & Hospitals**

(Effective March 12, 2004)

Raymond A. Jetson

Thank you in advance for your consideration of this request. Please contact my office should you need additional information.

## Page 2 SENATE

May 17, 2004

## 26th DAY'S PROCEEDINGS

Sincerely,  
**FREDERICK P. CERISE, M.D., M.P.H.**  
Secretary

**LOUISIANA WORKS**  
Department of Labor

May 13, 2004

The Honorable Don Hines, President  
Louisiana State Senate  
Post Office Box 94183  
Baton Rouge, LA 70804

Dear Senator Hines:

I have appointed Ms. Alesia Y. Wilkins as Deputy Secretary of the Department of Labor for a period of four years.

In accordance with the mandates of the Louisiana Constitution and Title 36 of the Louisiana Revised Statutes, I am submitting the following information on Ms. Wilkins and respectfully requesting Senate confirmation of her appointment.

**Deputy Secretary of Labor**

(Effective January 30, 2004)

Alesia Y. Wilkins

Thank you in advance for your consideration of this request. Please contact my office should you need additional information.

Sincerely,  
**JOHN W. SMITH**  
Secretary  
Department of Labor

**DEPARTMENT OF PUBLIC SAFETY AND  
CORRECTIONS**

May 12, 2004

The Honorable Don Hines, President  
Louisiana State Senate  
Post Office Box 94183  
Baton Rouge, LA 70804

Dear Senator Hines:

I have appointed Colonel Henry Whitehorn as Deputy Secretary/Superintendent of Public Safety Services of the Department of Public Safety and Corrections for a period of four years.

In accordance with the mandates of the Louisiana Constitution and Title 36 of the Louisiana Revised Statutes, I am submitting the following information concerning Colonel Whitehorn and respectfully requesting Senate confirmation of his appointment.

**Deputy Secretary/Superintendent of Public Safety**

(Effective January 12, 2004)

Colonel Henry Whitehorn

Thank you in advance for your consideration of this request. Please contact my office should you need additional information.

Sincerely,  
**RICHARD L. STALDER**  
Secretary

**LOUISIANA DEPARTMENT OF REVENUE**

May 13, 2004

The Honorable Don Hines, President  
Louisiana State Senate  
Post Office Box 94183  
Baton Rouge, LA 70804

Dear Senator Hines:

I have appointed Mr. Gary J. Matherne as Deputy Secretary of the Department of Revenue for a period of four years.

In accordance with the mandates of the Louisiana Constitution and Title 36 of the Louisiana Revised Statutes, I am submitting the following information on Mr. Matherne and respectfully requesting Senate confirmation of his appointment.

**Deputy Secretary of Revenue**

(Effective March 24, 2004)

Gary J. Matherne

Thank you in advance for your consideration of this request. Should additional information be needed, please contact my office at 225-219-2700.

Sincerely,  
**CYNTHIA BRIDGES**  
Secretary

**DEPARTMENT OF SOCIAL SERVICES**

Office of the Secretary  
State of Louisiana

May 12, 2004

The Honorable Don Hines, President  
Louisiana State Senate  
Post Office Box 94183  
Baton Rouge, LA 70804

Dear Senator Hines:

I have appointed Ms. Lisa M. Woodruff-White as Deputy Secretary of the Department of Social Services for a period of four years.

In accordance with the mandates of the Louisiana Constitution and Title 36 of the Louisiana Revised Statutes, I am submitting the following information on Ms. Woodruff-White and respectfully requesting Senate confirmation of her appointment.

**Deputy Secretary of Social Services**

(Effective January 12, 2004)

Lisa M. Woodruff-White

Thank you in advance for your consideration of this request. Please contact my office should you need additional information.

Sincerely,  
**ANN S. WILLIAMSON**  
 Secretary  
 Department of Social Services

**Privilege Report of the  
 Legislative Bureau**

May 17, 2004

To the President and Members of the Senate:

I am directed by your Legislative Bureau to submit the following report:

The following bills are approved as to construction and duplication.

**HOUSE BILL NO. 332—**  
 BY REPRESENTATIVE PINAC  
 AN ACT

To amend and reenact R.S. 6:1087(B)(1) and (C), relative to the residential mortgage lenders; to provide for an exemption from licensure and continuing education requirements for employees and exclusive agents of direct or indirect subsidiaries of holding companies; and to provide for related matters.

Reported without amendments.

**HOUSE BILL NO. 698—**  
 BY REPRESENTATIVES JOHNS AND KATZ  
 AN ACT

To amend and reenact R.S. 37:1212 and to enact R.S. 37:1182(B)(8), relative to the practice of pharmacy; to provide for powers of the board; to provide relative to pharmacy technicians; and to provide for related matters.

Reported without amendments.

**HOUSE BILL NO. 704—**  
 BY REPRESENTATIVES BRUNEAU AND MURRAY  
 AN ACT

To amend and reenact R.S. 37:848(D)(2) and (3) and to enact R.S. 37:848(D)(7), relative to embalming; to allow for refrigeration of remains by funeral establishments; to provide an exception from embalming; and to provide for related matters.

Reported without amendments.

**HOUSE BILL NO. 764—**  
 BY REPRESENTATIVES BRUNEAU AND MURRAY  
 AN ACT

To amend and reenact R.S. 37:845 and 875, relative to fees imposed by the Louisiana State Board of Embalmers and Funeral Directors; to increase fees for licensure; to add fees for work permits; to add fees for inspections; and to provide for related matters.

Reported without amendments.

**HOUSE BILL NO. 1015—**  
 BY REPRESENTATIVES LANCASTER, BROOME, HAMMETT,  
 SALTER, AND THOMPSON  
 AN ACT

To amend and reenact R.S. 24:56 and 56.1 and to enact R.S. 18:1505.2(Q), (R), and (S) relative to campaign finance; to prohibit certain persons from accepting certain campaign contributions during certain legislative sessions; to prohibit the governor from accepting certain campaign contributions during certain legislative sessions and for a certain time period thereafter; to prohibit statewide elected officials and public service commissioners from receiving campaign contributions during certain legislative sessions; to prohibit a legislator from accepting certain campaign contributions during certain legislative sessions; to prohibit a legislator from soliciting certain campaign contributions during certain legislative sessions; to prohibit the offer or providing of certain campaign contributions to a legislator during certain legislative sessions; to provide relative to notice of certain fundraising functions; to provide for penalties and enforcement; to provide exceptions; and to provide for related matters.

Reported without amendments.

**HOUSE BILL NO. 1363—**  
 BY REPRESENTATIVES WINSTON, MARTINY, BURNS, R. CARTER, DOERGE, DURAND, GLOVER, GRAY, E. GUILLORY, M. GUILLORY, HUNTER, KATZ, LABRUZZO, MARCHAND, McDONALD, MONTGOMERY, STRAIN, WADDELL, WALKER, SCHNEIDER, AND THOMPSON AND SENATORS MOUNT, CRAVINS, JONES, AND LENTINI  
 AN ACT

To amend and reenact R.S. 46:1941.1, 1941.2, 1941.5, and 1941.8 and to repeal R.S. 46:1941.3(1), 1941.4, 1941.6, 1941.7, 1941.9 through 1941.13, relative to youth services; to provide for the creation of youth services planning boards; to provide for the purpose of such boards; to provide with respect to membership; to repeal provisions of law providing for parish youth services programs; to repeal provisions providing for parish youth services subsidy program; and to provide for related matters.

Reported without amendments.

**HOUSE BILL NO. 1401—**  
 BY REPRESENTATIVE JOHN SMITH  
 AN ACT

To amend and reenact R.S. 37:1800(A) and to repeal R.S. 37:1800(D), relative to maturity dates for pawn transactions; to decrease the maturity date for jewelry pledged in all pawnshops; and to provide for related matters.

Reported without amendments.

**HOUSE BILL NO. 1424—**  
 BY REPRESENTATIVES BOWLER AND TUCKER  
 AN ACT

To repeal R.S. 22:1382(A)(3)(d), relative to the Louisiana Insurance Guaranty Association; to provide for refund monies; to delete certain deposit requirements.

Reported without amendments.

Respectfully submitted,  
 ARTHUR J. "ART" LENTINI  
 Chairman

**Adoption of Legislative Bureau Report**

On motion of Senator Lentini, the Bills and Joint Resolutions were read by title and passed to a third reading.

**Introduction of  
Senate Concurrent Resolutions**

Senator Bajoie asked for and obtained a suspension of the rules for the purpose of introducing and reading the following Senate Concurrent Resolutions a first and second time and acting upon them as follows:

**SENATE CONCURRENT RESOLUTION NO. 108—**

BY SENATOR HINES

**A CONCURRENT RESOLUTION**

To proclaim the week of May 16-22, 2004 as Emergency Medical Services Week.

The resolution was read by title. Senator Hines moved to adopt the Senate Concurrent Resolution.

**ROLL CALL**

The roll was called with the following result:

**YEAS**

Mr. President	Dupre	Lentini
Adley	Fields	Malone
Amedee	Fontenot	Marionneaux
Barham	Gautreaux, B	Michot
Boasso	Gautreaux, N	Mount
Cain	Hainkel	Nevers
Chaisson	Hollis	Romero
Cheek	Irons	Smith
Cravins	Jackson	Theunissen
Dardenne	Jones	Ullo
Duplessis	Kostelka	
Total—32		

**NAYS**

Total—0

**ABSENT**

Bajoie	Heitmeier	Schedler
Boissiere	Holden	
Ellington	McPherson	
Total—7		

The Chair declared the Senate had adopted the Senate Concurrent Resolution and ordered it sent to the House.

**SENATE CONCURRENT RESOLUTION NO. 109—**

BY SENATOR JONES

**A CONCURRENT RESOLUTION**

To acknowledge and commemorate the deep and abiding significance to the state of Louisiana and the United States of America of the landmark decision in the case of *Brown v. Board of Education* on the Fiftieth Anniversary of that decision.

The resolution was read by title. Senator Jones moved to adopt the Senate Concurrent Resolution.

**ROLL CALL**

The roll was called with the following result:

**YEAS**

Mr. President	Duplessis	Malone
Adley	Dupre	Marionneaux
Amedee	Fields	McPherson
Bajoie	Fontenot	Michot
Barham	Gautreaux, B	Mount
Boasso	Gautreaux, N	Nevers
Boissiere	Hollis	Romero
Cain	Irons	Smith
Chaisson	Jackson	Theunissen
Cheek	Jones	Ullo
Cravins	Kostelka	
Dardenne	Lentini	
Total—34		

**NAYS**

Total—0

**ABSENT**

Ellington	Heitmeier	Schedler
Hainkel	Holden	
Total—5		

The Chair declared the Senate had adopted the Senate Concurrent Resolution and ordered it sent to the House.

**SENATE CONCURRENT RESOLUTION NO. 110—**

BY SENATOR CHAISSON

**A CONCURRENT RESOLUTION**

To extend the authority for the Forensic Strategic Task Force until July 1, 2006.

The resolution was read by title. Senator Chaisson moved to adopt the Senate Concurrent Resolution.

**ROLL CALL**

The roll was called with the following result:

**YEAS**

Mr. President	Duplessis	Lentini
Adley	Dupre	Malone
Amedee	Fields	Marionneaux
Bajoie	Fontenot	McPherson
Barham	Gautreaux, B	Michot
Boasso	Gautreaux, N	Mount
Boissiere	Heitmeier	Nevers
Cain	Hollis	Romero
Chaisson	Irons	Smith
Cheek	Jackson	Theunissen
Cravins	Jones	Ullo
Dardenne	Kostelka	

Total—35

NAYS

Total—0

ABSENT

Ellington

Holden

Hainkel

Schedler

Total—4

The Chair declared the Senate had adopted the Senate Concurrent Resolution and ordered it sent to the House.

### Messages from the House

The following Messages from the House were received and read as follows:

### Message from the House

#### ASKING CONCURRENCE IN HOUSE BILLS AND JOINT RESOLUTIONS

May 17, 2004

To the Honorable President and Members of the Senate:

I am directed to inform your honorable body that the House of Representatives has finally passed and asks your concurrence in the following House Bills and Joint Resolutions:

#### HOUSE BILL NO. 233—

BY REPRESENTATIVE FAUCHEUX

AN ACT

To amend and reenact R.S. 30:2057(B)(6) and to enact R.S. 30:2057(B)(7), relative to air quality; to provide for exceptions to requirements for the discharge of air contaminants or noise pollution; to provide for bonfires in certain parishes during the month of December; and to provide for related matters.

#### HOUSE BILL NO. 846—

BY REPRESENTATIVE MORRISH

AN ACT

To amend and reenact R.S. 30:2418(G), (H)(3) and (4), (I), (J), and (O)(3), relative to waste tires; to provide for fees collected on the sale of tires; and to provide for related matters.

#### HOUSE BILL NO. 911—

BY REPRESENTATIVES LANCASTER, FRITH, MARCHAND, MURRAY, PINAC, T. POWELL, RITCHIE, STRAIN, TRAHAN, TUCKER, AND WHITE

AN ACT

To amend and reenact Chapter 7 of Title 6 of the Louisiana Revised Statutes of 1950, to be comprised of R.S. 6:551 through 570.6, relative to foreign banks; to provide for functions and powers of such banks; to provide for certain prohibited activities; to provide for certain additional powers and functions of foreign banks in Louisiana; and to provide for related matters.

#### HOUSE BILL NO. 1108—

BY REPRESENTATIVE ERDEY

AN ACT

To amend and reenact R.S. 47:1907(A)(1), relative to annual compensation of tax assessors; to provide for alternative population data for establishing the maximum compensation rate; to provide for the compensation in parishes with a population of four hundred thousand or more; and to provide for related matters.

#### HOUSE BILL NO. 1181—

BY REPRESENTATIVES DANIEL AND BROOME

AN ACT

To amend and reenact R.S. 33:2881 and R.S. 47:2183(C)(1) and (E), relative to tax sales of immovable property and acquisition of adjudicated property from a political subdivision; to provide with respect to notice of sale by tax sale purchaser; to provide relative to the affidavit authorized to be filed by the purchaser or donee of property adjudicated to a political subdivision; and to provide for related matters.

#### HOUSE BILL NO. 1504—

BY REPRESENTATIVE MONTGOMERY

AN ACT

To enact R.S. 39:1405.3, relative to the issuance of industrial revenue bonds; to require the approval of the issuance of such bonds by local governmental entities prior to State Bond Commission approval; to provide for an effective date; and to provide for related matters.

Respectfully submitted,

ALFRED W. SPEER

Clerk of the House of Representatives

### House Bills and Joint Resolutions on First Reading

The following House Bills and Joint Resolutions were read a first time by their titles and placed on the Calendar for their second reading:

#### HOUSE BILL NO. 233—

BY REPRESENTATIVE FAUCHEUX

AN ACT

To amend and reenact R.S. 30:2057(B)(6) and to enact R.S. 30:2057(B)(7), relative to air quality; to provide for exceptions to requirements for the discharge of air contaminants or noise pollution; to provide for bonfires in certain parishes during the month of December; and to provide for related matters.

The bill was read by title; lies over under the rules.

#### HOUSE BILL NO. 846—

BY REPRESENTATIVE MORRISH

AN ACT

To amend and reenact R.S. 30:2418(G), (H)(3) and (4), (I), (J), and (O)(3), relative to waste tires; to provide for fees collected on the sale of tires; and to provide for related matters.

The bill was read by title; lies over under the rules.

**HOUSE BILL NO. 911—**BY REPRESENTATIVES LANCASTER, FRITH, MARCHAND,  
MURRAY, PINAC, T. POWELL, RITCHIE, STRAIN, TRAHAN,  
TUCKER, AND WHITE**AN ACT**

To amend and reenact Chapter 7 of Title 6 of the Louisiana Revised Statutes of 1950, to be comprised of R.S. 6:551 through 570.6, relative to foreign banks; to provide for functions and powers of such banks; to provide for certain prohibited activities; to provide for certain additional powers and functions of foreign banks in Louisiana; and to provide for related matters.

The bill was read by title; lies over under the rules.

**HOUSE BILL NO. 1108—**

BY REPRESENTATIVE ERDEY

**AN ACT**

To amend and reenact R.S. 47:1907(A)(1), relative to annual compensation of tax assessors; to provide for alternative population data for establishing the maximum compensation rate; to provide for the compensation in parishes with a population of four hundred thousand or more; and to provide for related matters.

The bill was read by title; lies over under the rules.

**HOUSE BILL NO. 1181—**

BY REPRESENTATIVES DANIEL AND BROOME

**AN ACT**

To amend and reenact R.S. 33:2881 and R.S. 47:2183(C)(1) and (E), relative to tax sales of immovable property and acquisition of adjudicated property from a political subdivision; to provide with respect to notice of sale by tax sale purchaser; to provide relative to the affidavit authorized to be filed by the purchaser or donee of property adjudicated to a political subdivision; and to provide for related matters.

The bill was read by title; lies over under the rules.

**HOUSE BILL NO. 1504—**

BY REPRESENTATIVE MONTGOMERY

**AN ACT**

To enact R.S. 39:1405.3, relative to the issuance of industrial revenue bonds; to require the approval of the issuance of such bonds by local governmental entities prior to State Bond Commission approval; to provide for an effective date; and to provide for related matters.

The bill was read by title; lies over under the rules.

**Messages from the House**

The following Messages from the House were received and read as follows:

**Message from the House****ASKING CONCURRENCE IN  
HOUSE CONCURRENT RESOLUTIONS**

May 17, 2004

To the Honorable President and Members of the Senate:

I am directed to inform your honorable body that the House of Representatives has finally passed and asks your concurrence in the following House Concurrent Resolutions:

**HOUSE CONCURRENT RESOLUTION NO. 101—**

BY REPRESENTATIVE MONTGOMERY

**A CONCURRENT RESOLUTION**

To amend a Department of Health and Hospitals' rule which amends current Medicaid eligibility policy governing the treatment of annuities and to direct the Louisiana Register to print the amendment in the Louisiana Administrative Code.

**HOUSE CONCURRENT RESOLUTION NO. 188—**

BY REPRESENTATIVE BAUDOUIN

**A CONCURRENT RESOLUTION**

To urge and request that members of the legislature set an example on the importance of recycling by recycling the enormous amount of paper received by the members during a legislative day.

**HOUSE CONCURRENT RESOLUTION NO. 191—**BY REPRESENTATIVES FLAVIN, FUTRELL, GEYMAN, E.  
GUILLORY, JOHNS, AND MORRISH AND SENATORS CAIN,  
MOUNT, AND THEUNISSEN**A CONCURRENT RESOLUTION**

To commend the Louisiana National Guard's 256th Infantry Battalion of Lake Charles upon activation in support of Operation Iraqi Freedom and to extend support and prayers for a safe return home.

Respectfully submitted,

ALFRED W. SPEER

Clerk of the House of Representatives

**House Concurrent Resolutions  
on First Reading**

The following House Concurrent Resolutions were read a first time by their titles and placed on the Calendar for their second reading:

**HOUSE CONCURRENT RESOLUTION NO. 101—**

BY REPRESENTATIVE MONTGOMERY

**A CONCURRENT RESOLUTION**

To amend a Department of Health and Hospitals' rule which amends current Medicaid eligibility policy governing the treatment of annuities and to direct the Louisiana Register to print the amendment in the Louisiana Administrative Code.

The resolution was read by title; lies over under the rules.

**HOUSE CONCURRENT RESOLUTION NO. 188—**

BY REPRESENTATIVE BAUDOUIN

**A CONCURRENT RESOLUTION**

To urge and request that members of the legislature set an example on the importance of recycling by recycling the enormous amount of paper received by the members during a legislative day.

The resolution was read by title; lies over under the rules.

**HOUSE CONCURRENT RESOLUTION NO. 191—**  
BY REPRESENTATIVES FLAVIN, FUTRELL, GEYMAN, E. GUILLORY, JOHNS, AND MORRIS AND SENATORS CAIN, MOUNT, AND THEUNISSEN

A CONCURRENT RESOLUTION

To commend the Louisiana National Guard's 256th Infantry Battalion of Lake Charles upon activation in support of Operation Iraqi Freedom and to extend support and prayers for a safe return home.

The resolution was read by title; lies over under the rules.

**House Bills and Joint Resolutions  
on Second Reading to be Referred**

The following House Bills and Joint Resolutions were read by title and referred to committees as follows:

**HOUSE BILL NO. 205—**  
BY REPRESENTATIVE FUTRELL  
AN ACT

To amend and reenact R.S. 47:1568(B), relative to state taxation; to increase the time period for payment of certain taxes due; and to provide for related matters.

On motion of Senator Bajoie, the bill was read by title and referred to the Committee on Revenue and Fiscal Affairs.

**HOUSE BILL NO. 353—**  
BY REPRESENTATIVE TOOMY  
AN ACT

To amend and reenact Civil Code Article 2818, relative to partnerships; to provide for the causes of cessation of membership; to provide for plans of liquidation or appointments of trustees; and to provide for related matters.

On motion of Senator Bajoie, the bill was read by title and referred to the Committee on Judiciary A.

**HOUSE BILL NO. 419—**  
BY REPRESENTATIVE PINAC  
AN ACT

To amend and reenact R.S. 4:144(B), relative to members of the State Racing Commission; to prohibit a horse owned directly or indirectly by a commission member from racing in Louisiana; to provide for consequences; and to provide for related matters.

On motion of Senator Bajoie, the bill was read by title and referred to the Committee on Commerce, Consumer Protection and International Affairs.

**HOUSE BILL NO. 430—**  
BY REPRESENTATIVE MURRAY  
AN ACT

To amend and reenact R.S. 18:1505.2(L)(2), relative to prohibitions against campaign contributions loans, and transfers of funds by certain persons substantially interested in the gaming industry in this state; to provide that such prohibitions do not apply to contributions, loans, or transfers of funds to certain accounts of political committees of recognized political parties organized under laws of another jurisdiction; to provide limitations; and to provide for related matters.

On motion of Senator Bajoie, the bill was read by title and referred to the Committee on Senate and Governmental Affairs.

**HOUSE BILL NO. 613—**  
BY REPRESENTATIVE HEBERT (BY REQUEST)  
AN ACT

To enact R.S. 9:346 through 348, relative to visitation rights; to provide relative to intentional violations of court orders; to provide relative to public interaction with a child; to provide relative to parenting interference; and to provide for related matters.

On motion of Senator Bajoie, the bill was read by title and referred to the Committee on Judiciary A.

**HOUSE BILL NO. 694—**  
BY REPRESENTATIVE ARNOLD  
A JOINT RESOLUTION

Proposing to amend Article VII, Section 21(E) of the Constitution of Louisiana, to remove prohibition against extending ad valorem tax exemption for motor vehicles to taxes levied by a municipal governing authority or a district created by such authority; and to provide for related matters.

On motion of Senator Bajoie, the bill was read by title and referred to the Committee on Revenue and Fiscal Affairs.

**HOUSE BILL NO. 702—**  
BY REPRESENTATIVE DURAND  
AN ACT

To amend and reenact R.S. 39:1514(A)(1)(a) and (b), relative to multi-year contracts; to provide contracts for electronic disbursement services for child support payments to be entered into for five years; to provide that contracts for electronic benefits issuance services may be entered into for periods of up to ten years; and to provide for related matters.

On motion of Senator Bajoie, the bill was read by title and referred to the Committee on Finance.

**HOUSE BILL NO. 842—**  
BY REPRESENTATIVE JOHNS  
AN ACT

To enact Civil Code Article 191 and R.S. 9:395.1, relative to paternity; to provide for the establishment of paternity; to provide a time limitation for actions; and to provide for related matters.

On motion of Senator Bajoie, the bill was read by title and referred to the Committee on Judiciary A.

**HOUSE BILL NO. 916—**  
BY REPRESENTATIVES CAZAYOUX, BAYLOR, GLOVER, AND JACKSON  
AN ACT

To enact R.S. 33:2186, relative to the rights of fire employees; to provide relative to investigations of fire employees; to provide for rights to attend hearings; to provide for time limitations on completing an investigation; to provide for extensions of time; and to provide for related matters.

On motion of Senator Bajoie, the bill was read by title and referred to the Committee on Local and Municipal Affairs.

**HOUSE BILL NO. 958—**BY REPRESENTATIVE TUCKER  
AN ACT

To amend and reenact R.S. 34:29(A)(introductory paragraph), (1), (D), and (E), to enact R.S. 34:29(J), and to repeal R.S. 34:29(B), relative to the Port of New Orleans; to provide relative to the port's borrowing power and debt limitation; to remove certain limitations; to provide for the port's authority to continue the issuance of bonds and other obligations; and to provide for related matters.

On motion of Senator Bajoie, the bill was read by title and referred to the Committee on Commerce, Consumer Protection and International Affairs.

**HOUSE BILL NO. 995—**BY REPRESENTATIVE MURRAY  
AN ACT

To enact R.S. 42:808(A)(8), relative to the Office of Group Benefits; to provide for the New Orleans district attorney and employees to be eligible for programs offered by the Office of Group Benefits; to provide for an effective date; and to provide for related matters.

On motion of Senator Bajoie, the bill was read by title and referred to the Committee on Finance.

**HOUSE BILL NO. 1092—**BY REPRESENTATIVE TRICHE  
AN ACT

To amend and reenact R.S. 42:1303(6), relative to the Government Deferred Compensation Plan; to provide for certain powers and duties of the commission; to provide for benefits under the Deferred Compensation Plan; and to provide for related matters.

On motion of Senator Bajoie, the bill was read by title and referred to the Committee on Commerce, Consumer Protection and International Affairs.

**HOUSE BILL NO. 1139—**BY REPRESENTATIVE HAMMETT  
AN ACT

To amend and reenact R.S. 47:1967(A), (B), (E), and (G), 1969, and 1971, relative to ad valorem taxation; to provide for the assessment of certain bank stock; and to provide for related matters.

On motion of Senator Bajoie, the bill was read by title and referred to the Committee on Commerce, Consumer Protection and International Affairs.

**HOUSE BILL NO. 1165—**BY REPRESENTATIVE MORRISH  
AN ACT

To amend and reenact R.S. 38:1794(B)(2), relative to drainage districts; to provide relative to compensation of certain members; and to provide for related matters.

On motion of Senator Bajoie, the bill was read by title and referred to the Committee on Local and Municipal Affairs.

**HOUSE BILL NO. 1224—**BY REPRESENTATIVE DANIEL  
AN ACT

To amend and reenact R.S. 39:1593(C)(2)(a) and to enact R.S. 39:1484(A)(25), 1503(A)(4), and 1594(C)(5), relative to competitive bidding; to require competitive bids and requests for proposals to be advertised electronically; to provide for definitions; and to provide for related matters.

On motion of Senator Bajoie, the bill was read by title and referred to the Committee on Finance.

**HOUSE BILL NO. 1278—**BY REPRESENTATIVES TUCKER AND FUTRELL  
AN ACT

To enact R.S. 49:1128, to establish the Military Economic Development and Transportation Fund as a special fund in the state treasury; to provide for deposit of certain monies into the fund; to provide for use of monies in the fund; to provide for an effective date; and to provide for related matters.

On motion of Senator Bajoie, the bill was read by title and referred to the Committee on Finance.

**HOUSE BILL NO. 1292—**BY REPRESENTATIVE PINAC  
AN ACT

To amend and reenact R.S. 32:771(1) and (15), relative to motorcycles and all-terrain vehicles; to revise the definition of all-terrain vehicle; to provide that the term "motorcycle" shall not include electric-powered scooters; and to provide for related matters.

On motion of Senator Bajoie, the bill was read by title and referred to the Committee on Transportation, Highways, and Public Works.

**HOUSE BILL NO. 1295—**BY REPRESENTATIVE ALARIO  
AN ACT

To amend and reenact R.S. 42:1001, 1002(2), (4), and (5), 1003 through 1005, and 1008 through 1011, to enact R.S. 42:1002(12), (13), and (14), and to repeal R.S. 42:1006 and 1007, relative to the federal-state agreement for old age and survivors benefits for state employees; to provide for the inclusion of disability and health insurance benefits in such agreement; and to provide for related matters.

On motion of Senator Bajoie, the bill was read by title and referred to the Committee on Finance.

**HOUSE BILL NO. 1310—**BY REPRESENTATIVE SALTER  
AN ACT

To authorize the state of Louisiana to forgive a portion of the mortgage payment and to redirect certain payments due to the state from the Coughatta Industrial Development Corporation for the purposes of the further economic development of the city of Coughatta under certain circumstances; and to provide for related matters.

On motion of Senator Bajoie, the bill was read by title and referred to the Committee on Finance.



**HOUSE BILL NO. 1464—**

BY REPRESENTATIVE CROWE  
AN ACT

To amend and reenact R.S. 9:5141(C) and (D) and R.S. 35:17(B), relative to public records on immovable property; to provide relative to social security and other taxpayer identification numbers; and to provide for related matters.

On motion of Senator Bajoie, the bill was read by title and referred to the Committee on Judiciary A.

**HOUSE BILL NO. 1507—**

BY REPRESENTATIVE CAZAYOUX  
AN ACT

To amend and reenact R.S. 33:2201(C)(1), relative to financial security of survivors of law enforcement officers; to provide for payments to surviving parents when there is no surviving spouse; and to provide for related matters.

On motion of Senator Bajoie, the bill was read by title and referred to the Committee on Finance.

**HOUSE BILL NO. 1580—**

BY REPRESENTATIVE BAYLOR  
AN ACT

To enact R.S. 32:143.2, relative to highways; to prohibit the blocking of private driveways, highways, and public rights-of-way under certain circumstances; to provide relative to penalties; and to provide for related matters.

On motion of Senator Bajoie, the bill was read by title and referred to the Committee on Transportation, Highways, and Public Works.

**HOUSE BILL NO. 1584—**

BY REPRESENTATIVES RICHMOND, FRITH, AND JACKSON  
AN ACT

To enact R.S. 40:1236.13(D) and (E), relative to automated external defibrillators; to require physical fitness facilities and institutions of higher education that compete in intercollegiate sport contests to have an automated external defibrillator on its premises; and to provide for related matters.

On motion of Senator Bajoie, the bill was read by title and referred to the Committee on Health and Welfare.

**HOUSE BILL NO. 1590—**

BY REPRESENTATIVE QUEZAIRE  
AN ACT

To amend and reenact R.S. 38:2212(A)(3)(g), relative to public contracts; to provide relative to contracts for construction management; and to provide for related matters.

On motion of Senator Bajoie, the bill was read by title and referred to the Committee on Transportation, Highways, and Public Works.

**HOUSE BILL NO. 1593—**

BY REPRESENTATIVE KENNARD  
AN ACT

To amend and reenact R.S. 32:1728.2, relative to disposal of motor vehicles; to provide relative to the definition of junk vehicles; and to provide for related matters.

On motion of Senator Bajoie, the bill was read by title and referred to the Committee on Transportation, Highways, and Public Works.

**HOUSE BILL NO. 1594—**

BY REPRESENTATIVE PITRE  
AN ACT

To amend and reenact R.S. 48:231, relative to the state highway system; to provide relative to public hearings in each highway district; to require the Joint Highway Priority Construction Committee to conduct such hearings; to provide relative to the membership of such committee; to provide relative to the presiding officer of such committee; and to provide for related matters.

On motion of Senator Bajoie, the bill was read by title and referred to the Committee on Transportation, Highways, and Public Works.

**HOUSE BILL NO. 1681—**

BY REPRESENTATIVES TRAHAN, ALEXANDER, JOHNS, ROBIDEAUX, AND WALKER  
AN ACT

To amend and reenact R.S. 9:2799.5(B)(3), relative to limitations of liability; to provide for the screening and determination of eligibility by a community health care clinic or community pharmacy; to authorize the arrangement of health care services; to provide assistance for enrollment; and to provide for related matters.

On motion of Senator Bajoie, the bill was read by title and referred to the Committee on Judiciary A.

**House Concurrent Resolutions  
on Second Reading**

The following House Concurrent Resolutions were read and acted upon as follows:

**HOUSE CONCURRENT RESOLUTION NO. 15—**

BY REPRESENTATIVE BOWLER  
A CONCURRENT RESOLUTION

To urge and request the division of administration to study the feasibility of implementing a statewide electronic payment system.

On motion of Senator Bajoie, the resolution was read by title and referred to the Committee on Finance.

**HOUSE CONCURRENT RESOLUTION NO. 48—**

BY REPRESENTATIVES STRAIN, THOMPSON, BRUCE, CAZAYOUX, DOWNS, FANNIN, FRITH, GEYMAN, M. GUILLORY, HILL, HUDSON, LAFLEUR, MORRISH, JACK SMITH, AND ST. GERMAIN  
A CONCURRENT RESOLUTION

To memorialize congress to oppose the Central America Free Trade Agreement and other free trade agreements which are harmful to American sugar producers.

On motion of Senator Bajoie, the resolution was read by title and referred to the Committee on Agriculture, Forestry, Aquaculture and Rural Development.

**HOUSE CONCURRENT RESOLUTION NO. 80—**

BY REPRESENTATIVE PIERRE

**A CONCURRENT RESOLUTION**

To approve the Coastal Wetlands Conservation and Restoration Plan for Fiscal Year 2004-2005, as adopted by the Wetlands Conservation and Restoration Authority.

On motion of Senator Bajoie, the resolution was read by title and referred to the Committee on Natural Resources.

**HOUSE CONCURRENT RESOLUTION NO. 113—**

BY REPRESENTATIVES BALDONE BRUCE, CAZAYOUX, DOWNS, FANNIN, FRITH, GEYMAN, M. GUILLORY, HILL, HUDSON, LAFLEUR, MORRISH, JACK SMITH, ST. GERMAIN, STRAIN AND THOMPSON

**A CONCURRENT RESOLUTION**

To memorialize congress to oppose the Central America Free Trade Agreement and other free trade agreements which are harmful to American sugar producers.

On motion of Senator Bajoie, the resolution was read by title and referred to the Committee on Agriculture, Forestry, Aquaculture and Rural Development.

**HOUSE CONCURRENT RESOLUTION NO. 115—**

BY REPRESENTATIVE ODINET

**A CONCURRENT RESOLUTION**

To urge and request the Department of Natural Resources to provide to the Louisiana Oyster Task Force information which would delineate the projected salinity regimes for a five-year period and a three-year projection of areas that will be restricted to oyster leasing.

On motion of Senator Bajoie, the resolution was read by title and referred to the Committee on Natural Resources.

**HOUSE CONCURRENT RESOLUTION NO. 134—**

BY REPRESENTATIVE DANIEL

**A CONCURRENT RESOLUTION**

To express the intent of the Louisiana Legislature in the passage of Act No. 715 of the 2003 Regular Session relative to the retroactive effects on the ownership of improvements, including abandoned oil casings and facilities placed by a lessee or another third party on the land of another.

On motion of Senator Bajoie, the resolution was read by title and referred to the Committee on Judiciary A.

**HOUSE CONCURRENT RESOLUTION NO. 137—**

BY REPRESENTATIVES ODINET, BRUCE, CAZAYOUX, DOWNS, FANNIN, FRITH, GEYMAN, M. GUILLORY, HILL, KENNEY, LAFLEUR, MORRISH, JACK SMITH, ST. GERMAIN, STRAIN, AND THOMPSON

**A CONCURRENT RESOLUTION**

To request the Department of Agriculture and Forestry, the Department of Wildlife and Fisheries, and the Department of Health and Hospitals to form an interagency task force to examine agricultural commodities imported into Louisiana from the state of California to confirm their compliance with public health and safety standards.

On motion of Senator Bajoie, the resolution was read by title and referred to the Committee on Agriculture, Forestry, Aquaculture and Rural Development.

**HOUSE CONCURRENT RESOLUTION NO. 146—**

BY REPRESENTATIVE TOWNSEND AND SENATOR SMITH

**A CONCURRENT RESOLUTION**

To urge and request the Department of Wildlife and Fisheries to take certain actions to reduce invasive aquatic weeds in Saline Lake.

On motion of Senator Bajoie, the resolution was read by title and referred to the Committee on Natural Resources.

**HOUSE CONCURRENT RESOLUTION NO. 183—**

BY REPRESENTATIVE WINSTON

**A CONCURRENT RESOLUTION**

To request the Department of Transportation and Development to study and reevaluate the necessity of installing a traffic signal at the intersection of Louisiana Highway 1077 and Louisiana Highway 1085 in St. Tammany Parish and to report such findings to the House and Senate Transportation, Highways and Public Works Committees within sixty days.

On motion of Senator Bajoie, the resolution was read by title and referred to the Committee on Transportation, Highways, and Public Works.

**HOUSE CONCURRENT RESOLUTION NO. 184—**

BY REPRESENTATIVE DOVE

**A CONCURRENT RESOLUTION**

To urge and request the Department of Transportation and Development to study the feasibility of four-laning Louisiana Highway 311 in Terrebonne Parish from Barrow Street to Savanne Road.

On motion of Senator Bajoie, the resolution was read by title and referred to the Committee on Transportation, Highways, and Public Works.

**HOUSE CONCURRENT RESOLUTION NO. 187—**

BY REPRESENTATIVE JACK SMITH

**A CONCURRENT RESOLUTION**

To express sincere and heartfelt condolences upon the death of Jeffery Lynn Reed of Amelia.

The resolution was read by title. Senator B. Gautreaux moved to concur in the House Concurrent Resolution.

**ROLL CALL**

The roll was called with the following result:

**YEAS**

Mr. President	Dupre	Lentini
Adley	Ellington	Malone
Amedee	Fields	Marionneaux
Bajoie	Fontenot	McPherson
Barham	Gautreaux, B	Michot
Boasso	Gautreaux, N	Mount
Boissiere	Hainkel	Nevers
Cain	Heitmeier	Romero
Chaisson	Hollis	Smith
Cheek	Irons	Theunissen
Cravins	Jackson	Ullo
Dardenne	Jones	

Duplessis  
Total—37

Kostelka

NAYS

Total—0

ABSENT

Holden  
Total—2

Schedler

The Chair declared the Senate had concurred in the House Concurrent Resolution and ordered it returned to the House.

### Reports of Committees

The following reports of committees were received and read:

#### REPORT OF COMMITTEE ON

#### FINANCE

Senator Heitmeier, Chairman on behalf of the Committee on Finance, submitted the following report:

May 17, 2004

To the President and Members of the Senate:

I am directed by your Committee on Finance to submit the following report:

#### SENATE BILL NO. 842— BY SENATOR ROMERO

#### AN ACT

To enact Chapter 45 of Title 34 of the Louisiana Revised Statutes of 1950, to be comprised of R.S. 34:3301 through 3313, inclusive, relative to the Acadiana Gulf of Mexico Access Channel; to provide relative to objects and purpose, powers, coordination and cooperation; to authorize certain expropriation powers of the department; to provide relative to duties of the Department of Transportation and Development; to provide relative to the Acadiana Gulf of Mexico Access Channel; to provide certain procedures, terms, and conditions; to authorize certain activities; and to provide for related matters.

Reported favorably.

#### HOUSE BILL NO. 593— BY REPRESENTATIVES ALARIO AND SALTER AND SENATORS HEITMEIER AND HINES

#### AN ACT

To amend and reenact R.S. 39:1537(6), relative to the risk management program; to eliminate the requirement for submission of a yearly cost comparison between commercial and self-insurance lines of coverage; to provide for inclusion of certain data comparisons in the annual report; to provide for an effective date; and to provide for related matters.

Reported with amendments.

Respectfully submitted,  
FRANCIS C. HEITMEIER  
Chairman

### Senate Bills and Joint Resolutions on Second Reading Reported by Committees

The following Senate Bills and Joint Resolutions reported by Committees were taken up and acted upon as follows:

#### SENATE BILL NO. 32— BY SENATOR FIELDS

#### AN ACT

To enact R.S. 23:643, relative to payment of employees; to provide with respect to the establishment of a state minimum wage; to provide for an increase in state minimum wage when the federal minimum wage is increased; and to provide for related matters.

Reported favorably by the Committee on Labor and Industrial Relations. The bill was read by title, ordered engrossed, and recommitted to the Committee on Finance.

#### SENATE BILL NO. 142— BY SENATOR BOISSIERE

#### AN ACT

To amend and reenact R.S. 33:4094.1(C), relative to the city of New Orleans; to extend the authorization for a voter-approved drainage tax within the city; and to provide for related matters.

Reported favorably by the Committee on Local and Municipal Affairs. On motion of Senator Fields, the bill was read by title, ordered engrossed, and passed to a third reading.

#### SENATE BILL NO. 253— BY SENATOR B. GAUTREAUX

#### AN ACT

To amend and reenact R.S. 56:103(B) and (C)(1), 104(A)(3) and (4), and 140(A); relative to nongame quadrupeds; to include bobcats in the open season for taking nongame quadrupeds; and to provide for related matters.

Reported favorably by the Committee on Natural Resources. On motion of Senator Malone, the bill was read by title, ordered engrossed, and passed to a third reading.

#### SENATE BILL NO. 304— BY SENATOR HOLDEN

#### AN ACT

To enact R.S. 33:2504(D) and (E), relative to political activities; to provide with respect to the prohibition against certain political activities by persons in the classified service; to provide that the prohibition shall not apply to any labor organization representing law enforcement officers or to any officer of a labor organization representing law enforcement officers while acting in such capacity; to provide for the effectiveness of this Act; and to provide for related matters.

Reported with amendments by the Committee on Labor and Industrial Relations.

### SENATE COMMITTEE AMENDMENTS

Amendments proposed by Senate Committee on Labor and Industrial Relations to Original Senate Bill No. 304 by Senator Holden

# Page 12 SENATE

May 17, 2004

## 26th DAY'S PROCEEDINGS

### AMENDMENT NO. 1

On page 1, line 5, between "officers" and "or" insert "or firefighters"

### AMENDMENT NO. 2

On page 1, line 6, between "officers" and "while" insert "or firefighters"

### AMENDMENT NO. 3

On page 1, line 14, between "officers" and "or" insert "or firefighters"

### AMENDMENT NO. 4

On page 1, line 15, between "officers" and "while" insert "or firefighters"

### AMENDMENT NO. 5

On page 2, line 1, between "officer" and "engaging" insert "or firefighter, who is a member of a labor organization,"

### AMENDMENT NO. 6

On page 2, line 3, between "officer" and "from" insert "or firefighter who is a member of a labor organization"

### AMENDMENT NO. 7

On page 2, line 8 after "Bill" delete "-----" and insert "305"

On motion of Senator Barham, the committee amendment was adopted. The amended bill was read by title and ordered engrossed and passed to a third reading.

### **SENATE BILL NO. 305—**

BY SENATOR HOLDEN

#### A JOINT RESOLUTION

Proposing to amend Article X, Section 20 of the Constitution of Louisiana, relative to political activities; to provide that the provisions of Article XIV, Section 15.1, Paragraph 34 of the Constitution of 1921, retained in the Louisiana Constitution of 1974, shall not apply to any labor organization representing law enforcement officers or to any officer of a labor organization representing law enforcement officers while acting in such capacity; and to specify an election for submission of the proposition to electors and provide a ballot proposition.

Reported with amendments by the Committee on Labor and Industrial Relations.

#### SENATE COMMITTEE AMENDMENTS

Amendments proposed by Senate Committee on Labor and Industrial Relations to Original Senate Bill No. 305 by Senator Holden

### AMENDMENT NO. 1

On page 1, line 6, between "or" and "to" insert "firefighters or"

### AMENDMENT NO. 2

On page 1, line 6, between "officers" and "while" insert "or firefighters"

### AMENDMENT NO. 3

On page 2, line 1, between "or" and "any" insert "firefighters or"

### AMENDMENT NO. 4

On page 2, line 2, between "officers" and "while" insert "or firefighters"

### AMENDMENT NO. 5

On page 2, line 14, between "or" and "to" insert "firefighters or"

### AMENDMENT NO. 6

On page 2, line 15, between "officers" and "while" insert "or firefighters"

On motion of Senator Barham, the committee amendment was adopted. The amended bill was read by title and ordered engrossed and passed to a third reading.

### **SENATE BILL NO. 425—**

BY SENATOR JONES

#### AN ACT

To enact R.S. 17:2118, relative to institutions of learning in general; to require that the establishment and maintenance of a public education system be accomplished free from certain discrimination; to prohibit the appropriation of or expenditure of public funding which discriminates directly or effectively against any person in violation of such requirement; and to provide for related matters.

Reported with amendments by the Committee on Education.

#### SENATE COMMITTEE AMENDMENTS

Amendments proposed by Senate Committee on Education to Original Senate Bill No. 425 by Senator Jones

### AMENDMENT NO. 1

On page 1, line 5, change "effectively" to "indirectly"

### AMENDMENT NO. 2

On page 2, line 3, change "effectively" to "indirectly"

On motion of Senator Ullo, the committee amendment was adopted. The amended bill was read by title and ordered engrossed and passed to a third reading.

### **SENATE BILL NO. 670—**

BY SENATOR LENTINI

#### AN ACT

To amend and reenact R.S. 23:1034.2(F) as amended by Act 454 of the 1989 Regular Session, R.S. 23:1201(F) and R.S. 23:1291(B)(9) and (10), and to repeal R.S. 23:1034.2(F) as amended by Act 25 of the 1989 Regular Session; relative to workers' compensation; to provide with respect to medical benefits; to require that all disputes be resolved according to the medical reimbursement schedules; to provide for penalties when the insurer engages in a pattern or practice; and to provide for related matters.

Reported with amendments by the Committee on Labor and Industrial Relations.

#### SENATE COMMITTEE AMENDMENTS

Amendments proposed by Senate Committee on Labor and Industrial Relations to Original Senate Bill No. 670 by Senator Lentini

AMENDMENT NO. 1

On page 1, line 3, after "Session," delete "R.S. 23:1201(F) and R.S. 23:1291(B)(9) and (10),"

AMENDMENT NO. 2

On page 1, line 5, after "benefits;" delete the remainder of the line and delete lines 6 through 8 and insert in lieu thereof: "to provide with respect to reimbursement schedule; to provide for consolidation; to provide for venue; and to provide for related matters."

AMENDMENT NO. 3

On page 1, line 11, delete "R.S. 23:1201(F) and R.S. 23:1291(B)(9) and (10) are" and insert in lieu thereof "is"

AMENDMENT NO. 4

On page 1, line 15, between "F." and "Should" insert "(1)"

AMENDMENT NO. 5

On page 2, at the end of line 1, delete "Any dispute" and delete lines 2 through 29 and insert in lieu thereof the following:

**"R.S. 23:1034.2(F)(2) is all proposed new law."**

(2) In addition to any other occasion when consolidation of claims is otherwise allowed by applicable law, whenever multiple disputes exist between a single healthcare provider and a single "payor" as defined in R.S.23:1142(A) concerning the proper amount payable pursuant to the reimbursement schedule, then either the healthcare provider or the payor shall have the right to have all such disputes between the payor and the healthcare provider consolidated and tried together. The venue for such consolidated claims shall be in either the workers' compensation district of the parish in which the domicile of the provider is located or the workers' compensation district of the parish in which the domicile of the payor or employer is located."

AMENDMENT NO. 6

On page 3, delete lines 1 through 29 in their entirety.

AMENDMENT NO. 7

On page 4, delete lines 1 and 2 in their entirety.

On motion of Senator Barham, the committee amendment was adopted. The amended bill was read by title and ordered engrossed and passed to a third reading.

**SENATE BILL NO. 767—**  
BY SENATOR HAINKEL

AN ACT

To enact R.S. 41:1702(J), relative to certain waters; to provide relative to uses of the water bottom of Lake Pontchartrain; to provide certain terms, conditions, and requirements; and to provide for related matters.

Reported favorably by the Committee on Natural Resources. On motion of Senator Malone, the bill was read by title, ordered engrossed, and passed to a third reading.

**SENATE BILL NO. 785—**  
BY SENATOR JONES

AN ACT

To enact R.S. 17:3226(D) and 3228(D), relative to the authority of the Board of Regents to establish learning centers; to authorize the Board of Regents to establish the Northeast Louisiana Delta

Learning Center; to provide for the management, and supervision of the learning center; to authorize the establishment of a commission and advisory council; and to provide for related matters.

Reported with amendments by the Committee on Local and Municipal Affairs.

**SENATE COMMITTEE AMENDMENTS**

Amendments proposed by Senate Committee on Local and Municipal Affairs to Original Senate Bill No. 785 by Senator Jones

AMENDMENT NO. 1

On page 2, at the beginning of line 1, insert "at 1005 W. Green Street or such other suitable location"

AMENDMENT NO. 2

On page 2, between lines 27 and 28, insert "(j) The Louisiana Center Against Poverty."

AMENDMENT NO. 3

On page 3, line 2, after "serve" delete "two" and insert "four" and on line 3, after "serve" delete "three" and insert "four"

AMENDMENT NO. 4

On page 3, between lines 12, and 13, insert "(a) The commission shall follow the duties outlined in R.S. 17:3982 titled Local School boards; duties."

AMENDMENT NO. 5

On page 3, at the beginning of line 13, delete "(a)" and insert "(b)"

AMENDMENT NO. 6

On page 3, at the beginning of line 22, delete "(b)" and insert "(c)" and after "to" before "accept" insert "request and/or"

AMENDMENT NO. 7

On page 3, line 23, after "center" before "." insert "such as but not limited to the planning, acquisition and development"

AMENDMENT NO. 8

On page 4, between lines 15 and 16, insert the following "(v) Proposed location of the consolidated Public High Schools (Tallulah High School and McCall Senior High School) of Tallulah, Louisiana."

AMENDMENT NO. 9

On page 5, line 20, after "Commission" before "." insert "Student Association"

AMENDMENT NO. 10

On page 5 between lines 20 and 21, insert "(xxvi) Louisiana Center Against Poverty."

On motion of Senator Fields, the committee amendment was adopted. The amended bill was read by title and ordered engrossed and passed to a third reading.

**SENATE BILL NO. 788—  
BY SENATOR DUPLESSIS****AN ACT**

To amend and reenact R.S. 47:322.38(A)(1) and to enact R.S. 47:322.38(E), relative to the state sales and use tax on hotel occupancy levied in Orleans Parish; to revise the dedication of a portion of the avails of the tax; to provide for an effective date; and to provide for related matters.

Reported with amendments by the Committee on Local and Municipal Affairs.

**SENATE COMMITTEE AMENDMENTS**

Amendments proposed by Senate Committee on Local and Municipal Affairs to Original Senate Bill No. 788 by Senator Duplessis

**AMENDMENT NO. 1**

On page 2, line 4, between "E.(1)" and "avails" delete "The" and insert in lieu thereof the following: "After payment of the first two million dollars into the "Ernest N. Morial Convention Center Phase IV Expansion Project Fund" as provided in Subsection A of this Section, the"

**AMENDMENT NO. 2**

On page 2, delete lines 23 through 26 and insert the following:  
“(3) Monies in the fund shall be appropriated as follows: two hundred thousand dollars to the New Orleans Business and Industrial District or its successor; one hundred thousand dollars to the New Orleans East Economic Development Foundation or its successor; and thirty thousand dollars to the New Orleans East Visitor’s Center or its successor.”

On motion of Senator Fields, the committee amendment was adopted. The amended bill was read by title and ordered engrossed and passed to a third reading.

**SENATE BILL NO. 852—  
BY SENATOR CHAISSON****AN ACT**

To amend and reenact R.S. 14:98 (C)(1), R.S. 32:190(A), and 430(L) and to enact R.S. 32: 295.1(I) and 413.1 and Code of Criminal Procedure Art. 894 (D)(3), relative to driving privileges; to provide for driver's license suspension in certain cases; to require any person to wear a helmet when operating certain motorized vehicles; to provide for a driver violation point system for young drivers; and to provide for related matters.

Reported with amendments by the Committee on Transportation, Highways, and Public Works.

**SENATE COMMITTEE AMENDMENTS**

Amendments proposed by Senate Committee on Transportation, Highways, and Public Works to Original Senate Bill No. 852 by Senator Chaisson

**AMENDMENT NO. 1**

On page 1, line 2, delete ", R.S. 32:190(A) and 430(L)"

**AMENDMENT NO. 2**

On page 1, delete line 5 and insert "provide for a reduction in fines for certain motor vehicle offenses provided occupants are wearing safety belts; to provide exclusions; to"

**AMENDMENT NO. 3**

On page 1, line 6, after "drivers;" insert "to provide for implementation and maintenance of an electronic database, by cooperative endeavor agreements, for pleas entered relative to operating a vehicle while intoxicated;"

**AMENDMENT NO. 4**

On page 2, line 8, after "Section 2." delete the remainder of the line and insert "R.S."

**AMENDMENT NO. 5**

On page 2, delete lines 10 through 28

**AMENDMENT NO. 6**

On page 3, line 4, after "careless" insert "operation"

**AMENDMENT NO. 7**

On page 3, line 5, after "vehicle" change "and" to a comma "," and after "intoxicated," insert "underage driving under the influence, and hit and run driving,"

**AMENDMENT NO. 8**

On page 3, line 22, change "three to six" to "one to twelve"

**AMENDMENT NO. 9**

On page 3, line 24, delete "(noncommercial vehicle)"

**AMENDMENT NO. 10**

On page 3, line 25, delete "(nonjury involved)"

**AMENDMENT NO. 11**

On page 3, at the end of line 28, change "3" to "2"

**AMENDMENT NO. 12**

On page 3, at the end of line 29, change "3" to "1"

**AMENDMENT NO. 13**

On page 4, at the end of line 1, change "3" to "2"

**AMENDMENT NO. 14**

On page 4, at the end of line 2, change "3" to "2"

**AMENDMENT NO. 15**

On page 4, at the end of line 3, change "3" to "1"

**AMENDMENT NO. 16**

On page 4, at the end of line 4, change "3" to "2"

**AMENDMENT NO. 17**

On page 4, at the end of line 5, change "3" to "2"

**AMENDMENT NO. 18**

On page 4, at the end of line 6, change "3" to "1"

AMENDMENT NO. 19

On page 4, at the end of line 7, change "6" to "4"

AMENDMENT NO. 20

On page 4, delete line 8 and insert as follows:  
"(14) Underage driving under the influence 4"

AMENDMENT NO. 21

On page 4, at the end of line 11, change "3" to "2"

AMENDMENT NO. 22

On page 4, delete line 12 and insert as follows:  
"(18) Operating a vehicle while intoxicated 12"

AMENDMENT NO. 23

On page 4, at the end of line 14, change "3" to "2"

AMENDMENT NO. 24

On page 5, delete lines 3 through 13

AMENDMENT NO. 25

On page 5, line 14, change "Section 2." to "Section 3."

On motion of Senator Ellington, the committee amendment was adopted. The amended bill was read by title and ordered engrossed and passed to a third reading.

**SENATE BILL NO. 855—**

BY SENATOR BAJOIE

AN ACT

To amend and reenact R.S. 25:841, 842, and 844 and to enact R.S. 25:845 and 846 and R.S. 36:209(Z) and 919.7, relative to the Louisiana Civil Rights Museum; to establish and provide for the Louisiana Civil Rights Museum Board; to provide for the membership, powers, duties, and functions of the board; and to provide for related matters.

Reported with amendments by the Committee on Local and Municipal Affairs.

**SENATE COMMITTEE AMENDMENTS**

Amendments proposed by Senate Committee on Local and Municipal Affairs to Original Senate Bill No. 855 by Senator Bajoie

AMENDMENT NO. 1

On page 1, line 4, between "Museum" and "Board" insert "Advisory"

AMENDMENT NO. 2

On page 1, line 5, between "functions of the" and "board" insert "advisory"

AMENDMENT NO. 3

On page 1, line 15, after "Operating funds" insert "; annual report"

AMENDMENT NO. 4

On page 2, line 2, after "professional staff" insert "; however, no state funds shall be utilized unless specifically appropriated for this purpose"

AMENDMENT NO. 5

On page 2, at the end of line 3, change "by the" to "with the advice of the"

AMENDMENT NO. 6

On page 2, line 4, between "Museum" and "Board" insert "Advisory" and at the end of the line insert "The office of state museum shall present an annual report of the museum operations and management to the Louisiana Civil Rights Museum Advisory Board."

AMENDMENT NO. 7

On page 2, line 7, delete "A." and after "Museum" delete the remainder of the line

AMENDMENT NO. 8

On page 2, line 8, delete "Foundation," after "indirectly" and insert "through the board of directors of the Louisiana State Museum or the Louisiana Museum Foundation,"

AMENDMENT NO. 9

On page 2, delete lines 13 through 17 in their entirety

AMENDMENT NO. 10

On page 2, lines 18 and 20, between "Museum" and "Board" insert "Advisory"

AMENDMENT NO. 11

On page 2, at the beginning of line 21, change ""board"" to ""advisory board""

AMENDMENT NO. 12

On page 2, line 22, between "The" and "board" insert "advisory" and change "thirteen" to "fifteen"

AMENDMENT NO. 13

On page 3, lines 2 and 3, change "One" to "Four" and "member" to "members" and after "as" delete "an"

AMENDMENT NO. 14

On page 3, delete line 10

AMENDMENT NO. 15

On page 3, at the beginning of line 11, change "(11)" to "(10)"

AMENDMENT NO. 16

On page 3, between lines 12 and 13, insert "(11) One member shall be appointed by the chancellor of Southern University at Baton Rouge."

AMENDMENT NO. 17

On page 3, lines 13 and 14, change "the board" to "the advisory board" and change "The board" to "The advisory board"

AMENDMENT NO. 18

On page 3, line 14, change "fifteen" to "seventeen"

AMENDMENT NO. 19

On page 3, lines 17, 20, 21, 23, and 24, change "the board" to "the advisory board"

AMENDMENT NO. 20

On page 3, line 26, change "The board" to "The advisory board"

**AMENDMENT NO. 21**

On page 3, line 27, change "the board's" to "the advisory board's"

**AMENDMENT NO. 22**

On page 4, lines 1 and 4, change "the board" to "the advisory board"

**AMENDMENT NO. 23**

On page 4, line 6, after "budget" insert a period "." and delete the remainder of the line

**AMENDMENT NO. 24**

On page 4, line 8, between "the" and "museum" insert "civil rights"

**AMENDMENT NO. 25**

On page 4, line 12 between "The" and "board" insert "advisory"

**AMENDMENT NO. 26**

On page 4, at the beginning of line 13, change "Individually, or in cooperation with" to "In accordance with R.S. 25:345, cooperate with the office of the state museum, the board of directors of the Louisiana State Museum, or with"

**AMENDMENT NO. 27**

On page 4, line 14, change "seek and expend" to "to seek"

**AMENDMENT NO. 28**

On page 4, line 15, change "of the museum" to "and general purposes of the civil rights museum"

**AMENDMENT NO. 29**

On page 4, lines 24 and 28, between "Museum" and "Board" insert "Advisory"

**AMENDMENT NO. 30**

On page 5, line 1, between "Museum" and "Board" insert "Advisory"

**AMENDMENT NO. 31**

On page 5, line 4, after "Part" delete the remainder of the line and insert "and in accordance with accepted standards of museum operations and practices as established by the American Association of Museums."

**AMENDMENT NO. 32**

On page 5, delete lines 5 through 7 in their entirety

On motion of Senator Fields, the committee amendment was adopted. The amended bill was read by title and ordered engrossed and passed to a third reading.

**House Bills and Joint Resolutions  
on Second Reading  
Reported by Committees**

The following House Bills and Joint Resolutions reported by Committees were taken up and acted upon as follows:

**HOUSE BILL NO. 7—**

BY REPRESENTATIVES STRAIN, ERDEY, AND DANIEL  
AN ACT

To name a portion of U.S. Highway 190 from the Mississippi River in East Baton Rouge Parish to the Louisiana-Mississippi state line the Ronald Reagan Highway; and to provide for related matters.

Reported favorably by the Committee on Transportation, Highways, and Public Works. Under the provisions of Joint Rule No. 3 of the Rules of the Senate, the bill was read by title and referred to the Legislative Bureau.

**HOUSE BILL NO. 64—**

BY REPRESENTATIVE JOHNS  
AN ACT

To amend and reenact R.S. 34:2101(A)(introductory paragraph), 2102(B), and 2103(introductory paragraph), relative to the West Calcasieu Port, Harbor, and Terminal District; to provide relative to the name of the district; and to provide for related matters.

Reported favorably by the Committee on Transportation, Highways, and Public Works. Under the provisions of Joint Rule No. 3 of the Rules of the Senate, the bill was read by title and referred to the Legislative Bureau.

**HOUSE BILL NO. 219—**

BY REPRESENTATIVE WALSWORTH  
AN ACT

To enact R.S. 17:85.5, relative to naming a football stadium; to authorize the parish school board in certain parishes to name a football stadium in honor of a school board member; to provide limitations; and to provide for related matters.

Reported favorably by the Committee on Education. Under the provisions of Joint Rule No. 3 of the Rules of the Senate, the bill was read by title and referred to the Legislative Bureau.

**HOUSE BILL NO. 333—**

BY REPRESENTATIVES SMILEY AND THOMPSON  
AN ACT

To amend and reenact R.S. 48:274.1(B), relative to specific information logo signs; to require the Department of Transportation and Development to include "RV friendly" markers within the logo sign program; to authorize certain business establishments to include "RV friendly" markers on their logo signs; to provide relative to the design and issuance criteria for "RV friendly" markers; to authorize the promulgation of rules and regulations; and to provide for related matters.

Reported favorably by the Committee on Transportation, Highways, and Public Works. Under the provisions of Joint Rule No. 3 of the Rules of the Senate, the bill was read by title and referred to the Legislative Bureau.

**HOUSE BILL NO. 601—**

BY REPRESENTATIVE BALDONE AND SENATOR B. GAUTREAUX  
AN ACT

To amend and reenact R.S. 56:323(B) and (C) and 500(B), relative to taking of shrimp; to provide possession limits for bait shrimp; to provide relative to gear size limits for recreational taking of shrimp; and to provide for related matters.



Reported favorably by the Committee on Natural Resources. Under the provisions of Joint Rule No. 3 of the Rules of the Senate, the bill was read by title and referred to the Legislative Bureau.

**HOUSE BILL NO. 602—**

BY REPRESENTATIVE DANIEL

## AN ACT

To amend and reenact R.S. 56:497(B)(2) and (C)(1), relative to saltwater shrimp; to provide relative to the methods of taking bait shrimp; to provide relative to a bait dealer's permit; and to provide for related matters.

Reported with amendments by the Committee on Natural Resources.

**SENATE COMMITTEE AMENDMENTS**

Amendments proposed by Senate Committee on Natural Resources to Engrossed House Bill No. 602 by Representative Daniel

**AMENDMENT NO. 1**

On page 1, line 2, after "reenact" delete "R.S. 56:497(B)(2)" and insert "R.S. 56:495(A)(38), (39), (40), (41), (42), and (43) and 497(B)(2)"

**AMENDMENT NO. 2**

On page 1, line 4, after "permit;" and before "and" insert "to provide relative to defining inside and outside waters;"

**AMENDMENT NO. 3**

On page 1, line 6, delete "R.S. 56:497(B)(2)" and insert "R.S. 56:495(A)(38), (39), (40), (41), (42), and (43) and 497(B)(2)"

**AMENDMENT NO. 4**

On page 1, between lines 7 and 8, insert

"§495. Defining inside and outside waters

A. Solely for the purpose of this Subpart, the shrimping waters of the state are divided into two classes, inside and outside waters. The line of demarcation of the classes of water shall commence at the coastal boundary between Texas and Louisiana and terminate at the coastal boundary between Mississippi and Louisiana and is more particularly described as follows, to wit:

\* \* \*

(38) Thence along the south shoreline to a point of land most easterly on the west side of Caminada Pass, lat. 29° 11' 35" N. long. 90° 02' 45" W.

(39) Thence N. 49° 01' W. for 3,569' along the shoreline to a point of land at lat. 29° 11' 60" N. long. 90° 03' 15" W.

(40) Thence north 58° 09' W. for 1,127' to a point of land at lat. 29° 12' 05" long. 90° 03' 26" W.

(41) Thence N. 38° 07' E. along the shoreline for 3,822' to the power line crossing at lat. 29° 12' 35" N. long. 90° 02' 59" W.

(42) Thence S. 55° 44' E. along the power line for 3,588' to a point of land on Grand Isle at lat. 29° 12' 15" N. long. 90° 02' 26" W.

(43) Thence along the northwestern shore of Grand Isle to the point of land most westerly of Grand Isle, lat. 29° 12' N. long. 90° 02' 30" W.

(38) Thence easterly along the south shoreline to a point of land on the southwestern side of Caminada Pass, lat. 29 11 24.540 N. long. 90 02 46.597 W.

(39) Thence northwesterly along the southwestern shoreline of Caminada Pass to a point of land, lat. 29 12 03.720 N. long. 90 03 20.237 W.

(40) Thence North 11 degrees 01 minutes 28 seconds East a distance of 1174 feet to a point on the northwesterly shoreline of Caminada Pass, lat. 29 12 15.123 N. long. 90 03 20.237 W.

(41) Thence northeasterly along the northwesterly shoreline of Caminada Pass to the intersection of an underground power line as marked by two platforms in Caminada Pass, lat. 29 12 24.916 N. long. 90 03 09.891 W.

(42) Thence South 68 degrees 39 minutes 51 seconds East along the underground power line as marked by two platforms in Caminada Pass, a distance of 3701 feet to the northwesterly shoreline of Grand Isle, lat. 29 12 11.583 N. 90 02 30.991 W.

(43) Thence southwesterly along the northwesterly shoreline of Grand Isle to a point of land, lat. 29 11 55.443 N. long. 90 02 30.991 W.

\* \* \*

On motion of Senator Malone, the committee amendment was adopted. Under the provisions of Joint Rule No. 3 of the Rules of the Senate, the amended bill was read by title and referred to the Legislative Bureau.

**HOUSE BILL NO. 603—**

BY REPRESENTATIVES PIERRE AND ST. GERMAIN AND SENATOR MARIONNEAUX

## AN ACT

To amend and reenact R.S. 56:8(84), 305(B)(17) and (G), 323(A), and 491(1) and to enact R.S. 56:305(B)(18) and 501, relative to commercial shrimping; to authorize commercial taking of freshwater shrimp in certain waters; to provide relative to nets and other conditions on such taking; to provide for a gear license and the fee therefor; to provide for the authority of the Wildlife and Fisheries Commission regarding freshwater commercial shrimping, including the authority to authorize such shrimping in additional locations; to provide penalties for violations; and to provide for related matters.

Reported favorably by the Committee on Natural Resources. Under the provisions of Joint Rule No. 3 of the Rules of the Senate, the bill was read by title and referred to the Legislative Bureau.

**HOUSE BILL NO. 628—**

BY REPRESENTATIVE QUEZAIRE

## AN ACT

To amend and reenact R.S. 47:820.2(B)(1)(a), relative to the Transportation Infrastructure Model for Economic Development Program; to provide relative to certain project descriptions; and to provide for related matters.

Reported favorably by the Committee on Transportation, Highways, and Public Works. Under the provisions of Joint Rule No. 3 of the Rules of the Senate, the bill was read by title and referred to the Legislative Bureau.

**HOUSE BILL NO. 631—**

BY REPRESENTATIVE QUEZAIRE

## AN ACT

To repeal R.S. 48:35(E), relative to the Department of Transportation and Development general powers, duties, and functions; to repeal provisions requiring the Department of

Transportation and Development to adopt rules for minimum safety standards for reflective work-site materials.

Reported favorably by the Committee on Transportation, Highways, and Public Works. Under the provisions of Joint Rule No. 3 of the Rules of the Senate, the bill was read by title and referred to the Legislative Bureau.

**HOUSE BILL NO. 634—**  
BY REPRESENTATIVE QUEZAIRE  
AN ACT

To amend and reenact R.S. 36:801(introductory paragraph), relative to the Louisiana Transportation Authority; to provide relative to placement of the authority within the Department of Transportation and Development; and to provide for related matters.

Reported favorably by the Committee on Transportation, Highways, and Public Works. Under the provisions of Joint Rule No. 3 of the Rules of the Senate, the bill was read by title and referred to the Legislative Bureau.

**HOUSE BILL NO. 636—**  
BY REPRESENTATIVE QUEZAIRE  
AN ACT

To amend and reenact R.S. 36:508.3(A) and R.S. 38:84, relative to office of public works and intermodal transportation in the Department of Transportation and Development; to provide that the office is responsible for state administration of the National Flood Insurance Program; and to provide for related matters.

Reported favorably by the Committee on Transportation, Highways, and Public Works. Under the provisions of Joint Rule No. 3 of the Rules of the Senate, the bill was read by title and referred to the Legislative Bureau.

**HOUSE BILL NO. 638—**  
BY REPRESENTATIVE QUEZAIRE  
AN ACT

To enact R.S. 48:461.27, relative to outdoor advertising devices; to provide for permits for outdoor advertising devices in forestry management areas; to provide relative to applications for permits; and to provide for related matters.

Reported with amendments by the Committee on Transportation, Highways, and Public Works.

**SENATE COMMITTEE AMENDMENTS**

Amendments proposed by Senate Committee on Transportation, Highways, and Public Works to Engrossed House Bill No. 638 by Representative Quezaire

**AMENDMENT NO. 1**

On page 1, line 8, at the beginning of the line insert "(1)"

**AMENDMENT NO. 2**

On page 1, between lines 12 and 13, insert:

"(2) The term "forestry management plan" as used in this Section means that plan for use of areas within the highway rights-of-way of the interstate system for the harvesting and re-planting of

timber as determined by the Departments of Agriculture and Forestry and Transportation and Development."

On motion of Senator Ellington, the committee amendment was adopted. Under the provisions of Joint Rule No. 3 of the Rules of the Senate, the amended bill was read by title and referred to the Legislative Bureau.

**HOUSE BILL NO. 695—**  
BY REPRESENTATIVE JACK SMITH  
AN ACT

To enact Subpart C of Part V of Chapter 1 of Title 56 of the Louisiana Revised Statutes of 1950, to be comprised of R.S. 56:291, relative to management of wild animals; to prohibit the intentional feeding of bears in the wild; to provide for penalties; and to provide for related matters.

Reported favorably by the Committee on Natural Resources. Under the provisions of Joint Rule No. 3 of the Rules of the Senate, the bill was read by title and referred to the Legislative Bureau.

**HOUSE BILL NO. 733—**  
BY REPRESENTATIVE JACK SMITH AND SENATOR B. GAUTREAUX  
AN ACT

To enact R.S. 56:6(31), relative to the powers of the Wildlife and Fisheries Commission; to authorize the commission to adopt regulations for the use of yo-yo or trigger device fishing gear upon the request of the department, a lake commission, fish and game commission, or watershed district; and to provide for related matters.

Reported favorably by the Committee on Natural Resources. Under the provisions of Joint Rule No. 3 of the Rules of the Senate, the bill was read by title and referred to the Legislative Bureau.

**HOUSE BILL NO. 1044—**  
BY REPRESENTATIVE MURRAY  
AN ACT

To repeal R.S. 17:335 and 349.2, relative to operations and control of schools; to repeal antiquated and unconstitutional provisions relative to the operation and control of certain schools.

Reported favorably by the Committee on Education. Under the provisions of Joint Rule No. 3 of the Rules of the Senate, the bill was read by title and referred to the Legislative Bureau.

**HOUSE BILL NO. 1067—**  
BY REPRESENTATIVE FLAVIN  
AN ACT

To amend and reenact R.S. 32:5, relative to the Louisiana Highway Regulatory Act; to authorize parade marshals to direct, control, and regulate traffic along or near parade routes in Lake Charles and Calcasieu Parish; and to provide for related matters.

Reported favorably by the Committee on Transportation, Highways, and Public Works. Under the provisions of Joint Rule No. 3 of the Rules of the Senate, the bill was read by title and referred to the Legislative Bureau.

**HOUSE BILL NO. 1102—**

BY REPRESENTATIVE DANIEL

**AN ACT**

To amend and reenact R.S. 34:3474(B)(1), relative to the Millennium Port Authority; to provide relative to membership on the board of commissioners; to authorize certain commissioners to appoint designees to serve on the board; and to provide for related matters.

Reported favorably by the Committee on Transportation, Highways, and Public Works. Under the provisions of Joint Rule No. 3 of the Rules of the Senate, the bill was read by title and referred to the Legislative Bureau.

**HOUSE BILL NO. 1317—**

BY REPRESENTATIVE DANIEL

**AN ACT**

To enact R.S. 36:605(B)(8) and R.S. 43:31(A)(6), relative to the powers and duties of the secretary of the Department of Wildlife and Fisheries; authorizes the secretary to print certain materials to promote the recreational resources and programs of the department; to authorize printing of certain interdepartmental and intradepartmental communications; and to provide for related matters.

Reported favorably by the Committee on Natural Resources. Under the provisions of Joint Rule No. 3 of the Rules of the Senate, the bill was read by title and referred to the Legislative Bureau.

**Motion to Recommit**

Senator Ellington asked for and obtained a suspension of the rules and recommitted House Bill No. 1354 from the Committee on Commerce, Consumer Protection and International Affairs to the Committee on Transportation, Highways, and Public Works.

**Rules Suspended**

Senator Nevers asked for and obtained a suspension of the rules for the purpose of recalling Senate Bill No. 234 from the Committee on Local and Municipal Affairs.

**SENATE BILL NO. 234—**

BY SENATOR NEVERS

**AN ACT**

To amend and reenact R.S. 33:108, 406(E), 551, 645, 1242, 1282, 4728, 4732, 4746, and 4780.48 and to enact R.S. 33:112(G) and 1373, relative to municipalities and parishes; to provide with respect to the enforcement of a new ordinance, regulation, or resolution based on the publication of the ordinance, regulation, or resolution; and to provide for related matters.

On motion of Senator Nevers, the bill was read by title and withdrawn from the files of the Senate.

**Rules Suspended**

Senator Nevers asked for and obtained a suspension of the rules for the purpose of recalling Senate Bill No. 760 from the Committee on Retirement.

**SENATE BILL NO. 760—**

BY SENATOR NEVERS

**AN ACT**

To amend and reenact R.S. 11:3038(C) and 3044, relative to municipal and parish systems; to provide with respect to city employees; to provide for the City of Bogalusa Retirement System; to provide for retirement benefits; to increase the maximum service retirement annuity; to increase employee contributions; to provide for an effective date; and to provide for related matters.

On motion of Senator Nevers, the bill was read by title and withdrawn from the files of the Senate.

**Special Order of the Day**

The following Senate Bill on Third Reading and Final Passage, which was made Special Order of the Day No. 1, was taken up and acted upon as follows:

**SENATE BILL NO. 871 (Substitute for Senate Bill No. 534 by Senator Irons)—**

BY SENATOR IRONS

**AN ACT**

To amend and reenact R.S. 17:17, and to enact R.S. 17:17.1 and 17.2, relative to physical fitness in schools; to provide relative to the physical activity of students; to provide for legislative findings and objectives; to establish and provide for awards for schools with outstanding programs, based on funding; to establish and provide for the implementation of a pilot program consisting of an assessment measuring the health-related fitness of students in certain grades; to provide for the selection of school systems for participation; to provide for program development; to provide for limitations; to provide for reports; to provide relative to funding; and to provide for related matters.

The bill was read by title. Senator Irons moved the final passage of the bill.

**ROLL CALL**

The roll was called with the following result:

**YEAS**

Mr. President	Duplessis	Kostelka
Adley	Dupre	Lentini
Amedee	Ellington	Malone
Bajoie	Fontenot	Marionneaux
Barham	Gautreaux, B	McPherson
Boasso	Gautreaux, N	Michot
Boissiere	Hainkel	Mount
Cain	Heitmeier	Nevers
Chaisson	Hollis	Romero
Cheek	Irons	Smith
Cravins	Jackson	Theunissen
Dardenne	Jones	Ullo
Total—36		

**NAYS**

Total—0

**ABSENT**

Fields                      Holden                      Schedler  
Total—3

The Chair declared the bill was passed. The title was read and adopted. Senator Irons moved to reconsider the vote by which the bill was passed and laid the motion on the table.

**Senator McPherson in the Chair**

**Senate Bills and Joint Resolutions  
Returned from the House  
of Representatives with Amendments**

The following Senate Bills and Joint Resolutions returned from the House of Representatives with amendments were taken up and acted upon as follows:

**SENATE BILL NO. 690—**

BY SENATORS HINES, JACKSON, BAJOE, N. GAUTREAUX,  
MCPHERSON, SCHEDLER AND HOLDEN  
AN ACT

To amend and reenact R.S. 40:1300.133(3) and R.S. 40:2197(D) and to enact Part LXI of Chapter 5 of Title 40 of the Louisiana Revised Statutes of 1950, to be comprised of R.S. 40:1300.222 through 1300.227, relative to federally qualified health centers and rural health clinics; to authorize the Department of Health and Hospitals to develop and implement a long-term plan to encourage expansion and development of federally qualified health centers and rural health clinics; to provide findings; to provide definitions; to provide for reports to the legislature; to provide for rules and regulations; and to provide for related matters.

The bill was read by title. Returned from the House of Representatives with the following amendments:

**LEGISLATIVE BUREAU AMENDMENTS**

Amendments proposed by Legislative Bureau to Reengrossed Senate Bill No. 690 by Senator Hines

**AMENDMENT NO. 1**

On page 2, line 18, change "and/or" to "or"

**AMENDMENT NO. 2**

On page 4, line 22, change "and/or" to "or"

Senator Hines moved to concur in the amendments proposed by the House.

**ROLL CALL**

The roll was called with the following result:

YEAS

Mr. President                      Duplessis                      Kostelka  
Adley                      Dupre                      Lentini

Amedee                      Ellington                      Malone  
Bajoie                      Fontenot                      Marionneaux  
Barham                      Gautreaux, B                      McPherson  
Boasso                      Gautreaux, N                      Michot  
Boissiere                      Hainkel                      Mount  
Cain                      Heitmeier                      Nevers  
Chaisson                      Hollis                      Romero  
Cheek                      Irons                      Smith  
Cravins                      Jackson                      Theunissen  
Dardenne                      Jones                      Ullo  
Total—36

NAYS

Total—0

ABSENT

Fields                      Holden                      Schedler  
Total—3

The Chair declared the amendments proposed by the House were concurred in. Senator Hines moved to reconsider the vote by which the amendments were concurred in and laid the motion on the table.

**Mr. President in the Chair**

**Senate Concurrent Resolutions  
on Second Reading  
Reported by Committees**

The following Senate Concurrent Resolutions reported by Committees were taken up and acted upon as follows:

**SENATE CONCURRENT RESOLUTION NO. 35—**

BY SENATOR FIELDS

**A CONCURRENT RESOLUTION**

To urge and request the East Baton Rouge Parish School Board to direct all school system employees to follow all state laws and rules and school board policies governing assignment of bus routes and requirements for in-service training of school bus operators.

Reported with amendments by the Committee on Local and Municipal Affairs.

**SENATE COMMITTEE AMENDMENTS**

Amendments proposed by Senate Committee on Local and Municipal Affairs to Original Senate Concurrent Resolution No. 35 by Senator Fields

**AMENDMENT NO. 1**

On page 1, delete lines 12, 13 and 14 in their entirety.

On motion of Senator Duplessis, the committee amendment was adopted. The amended resolution was read by title returned to the calendar, subject to call.



(3) "Oocyte" means the human female germ cell (the ovum). Somatic cell means a diploid cell (having a complete set of chromosomes) obtained or derived from a living or deceased human being at any stage of development.

(4) "Somatic cell nuclear transfer" means introducing the nuclear material of a human somatic cell (donor) into an oocyte (ovum) whose own nucleus has been removed or inactivated, yielding a product that has a human genetic constitution virtually identical to the donor of the somatic cell.

(5) "Embryo" means an organism of the species homo sapiens from the single cell stage to eight weeks development.

(6) "Fetus" means an organism of the species homo sapiens from eight weeks development until complete expulsion or extraction from a woman's body, or removal from an artificial womb or other similar environment designed to nurture the development of such organism.

§1299.36.2. Cloning of human beings; purchase or sale of ovum, zygote, embryo or fetus for the purpose of cloning human beings, prohibited

**R.S. 40:1299.36.2 is all proposed new law.**

A. It shall be unlawful for any person or entity, public or private, to intentionally or knowingly do any of the following:

(1) Perform or attempt to perform human cloning.

(2) Participate in an attempt to perform human cloning.

(3) Transfer, ship, or receive for any purpose a human embryo produced by human cloning, or any product derived from such human embryo.

(4) Import for any purpose a human embryo produced by human cloning, or any product derived from such human embryo.

B. No person shall purchase or sell an ovum, zygote, embryo, or fetus with the intent to perform or attempt to perform human cloning.

C. Whoever violates this Section shall be fined not more than ten million dollars or imprisoned, with or without hard labor, for not more than ten years, or both.

§1299.36.3. Adult stem cell research, in vitro fertilization, and other cell-based therapies not prohibited

**R.S. 40:1299.36.3 is all proposed new law.**

Nothing in this statute shall restrict areas of scientific research not specifically prohibited by this statute, including in vitro fertilization, the administration of fertility enhancing drugs, research in the use of nuclear transfer or other cloning techniques to produce molecules, DNA, tissues, organs, plants, or animals other than humans, or cells other than human embryos.

§1299.36.4. Administrative penalties

**R.S. 40:1299.36.4 is all proposed new law.**

A. For a violation of R. S. 40:1299.36.3, the secretary of the Department of Health and Hospitals may, in accordance with the provisions of the Administrative Procedure Act, R.S. 49:950, et seq., order the levy of an administrative penalty as follows

(1) If the violator is a legal entity, including but not limited to a corporation, firm, clinic, hospital, laboratory, or research facility, a penalty of not more than ten million dollars or the application amount under Subsection B of this Section, whichever is greater.

(2) If the violator is an individual, a penalty of not more than five million dollars or the applicable amount under Subsection B of this Section, whichever is greater.

B. If any person derives pecuniary gain from a violation of R.S. 40:1299.36.3, the person shall be assessed a civil penalty of not more than an amount equal to the amount of gross gain multiplied by two.

§1299.36.5. Violation constitutes unprofessional conduct; employment restrictions

**R.S. 40:1299.36.5 is all proposed new law.**

A. A violation of this Part, relating to human cloning, constitutes unprofessional conduct and shall result in the permanent revocation of each license and permit issued pursuant to R.S. 37:1261, et seq.

B. A violation of this Part shall provide, in addition to Subsection (A) of this Section, the basis for disciplinary action deemed appropriate by the Louisiana State Board of Medical Examiners pursuant to R.S. 37:1261, et seq.

C. Notwithstanding any provision of law to the contrary, a violation of this Part shall be the basis for denying an application for, or an application for the renewal of any license, permit, or certificate required by this state, or the granting of a conditional license, permit, or certificate required by this state, or any department, office, agency, or board of the state in order to practice or engage in a trade, occupation, or profession.

§1299.36.6. Use of state funds prohibited

**R.S. 40:1299.36.6 is all proposed new law.**

A. Notwithstanding any other provision of law to the contrary, state funds shall not be used to perform or attempt to perform human cloning.

B. Subsection (A) of this Section does not prohibit the use of state funds for scientific research or cell-based therapies not specifically prohibited by this Part as designated in R.S. 40:1299.36.3.

C. A person who violates this Section shall be subject to a fine of ten million dollars.

§1299.36.7. Use of health facility or agency for human cloning prohibited; penalties

**R.S. 40:1299.36.7 is proposed new law.**

A. A health facility or agency shall not allow any individual to perform or attempt to perform human cloning in a facility owned or operated by the health facility or agency.

B. Nothing in this Section shall prohibit a health facility or agency from allowing an individual from engaging in scientific research or a cell-based therapy not specifically prohibited by this Part as designated in R.S. 40:1299.36.3.

C. A health facility or agency that violates this Section shall be subject to administrative penalties provided by law for that facility or agency and to a fine of ten million dollars and loss of each license granted by law to the facility or agency.

Section 3. This Act shall become effective upon signature by the governor or, if not signed by the governor, upon expiration of the time for bills to become law without signature by the governor, as provided by Article III, Section 18 of the Constitution of Louisiana. If vetoed by the governor and subsequently approved by the legislature, this Act shall become effective on the day following such approval."

Senator Lentini moved adoption of the amendments.

Senator Hines objected.

## ROLL CALL

The roll was called with the following result:

YEAS

Amedee	Gautreaux, N	Michot
Cain	Hainkel	Mount
Chaisson	Hollis	Nevers
Cravins	Kostelka	Smith
Dupre	Lentini	Theunissen
Fontenot	Malone	Ullo
Total—18		

## NAYS

Mr. President	Dardenne	Jackson
Adley	Duplessis	Jones
Bajoie	Ellington	Marionneaux
Barham	Fields	McPherson
Boasso	Gautreaux, B	Romero
Boissiere	Heitmeier	
Cheek	Irons	
Total—19		

## ABSENT

Holden	Schedler
Total—2	

The Chair declared the amendments were rejected.

The bill was read by title. Senator Hines moved the final passage of the bill.

## ROLL CALL

The roll was called with the following result:

## YEAS

Mr. President	Duplessis	Jones
Adley	Dupre	Kostelka
Bajoie	Ellington	Lentini
Barham	Fields	Malone
Boissiere	Hainkel	Marionneaux
Chaisson	Heitmeier	McPherson
Cheek	Irons	Romero
Dardenne	Jackson	Ullo
Total—24		

## NAYS

Amedee	Gautreaux, B	Nevers
Boasso	Gautreaux, N	Smith
Cain	Hollis	Theunissen
Cravins	Michot	
Fontenot	Mount	
Total—13		

## ABSENT

Holden	Schedler
Total—2	

The Chair declared the bill was passed. The title was read and adopted. Senator Hines moved to reconsider the vote by which the bill was passed and laid the motion on the table.

## Mr. President in the Chair

## Rules Suspended

Senator Ellington asked for and obtained a suspension of the rules for the purpose of reverting to the Morning Hour.

## Messages from the House

The following Messages from the House were received and read as follows:

## Message from the House

CONCURRING IN  
SENATE CONCURRENT RESOLUTIONS

May 17, 2004

To the Honorable President and Members of the Senate:

I am directed to inform your honorable body that the House of Representatives has finally concurred in the following Senate Concurrent Resolutions:

SENATE CONCURRENT RESOLUTION NO. 108—  
BY SENATOR HINES

A CONCURRENT RESOLUTION  
To proclaim the week of May 16-22, 2004 as Emergency Medical Services Week.

Reported without amendments.

SENATE CONCURRENT RESOLUTION NO. 109—  
BY SENATOR JONES

A CONCURRENT RESOLUTION  
To acknowledge and commemorate the deep and abiding significance to the state of Louisiana and the United States of America of the landmark decision in the case of *Brown v. Board of Education* on the Fiftieth Anniversary of that decision.

Reported without amendments.

Respectfully submitted,  
ALFRED W. SPEER  
Clerk of the House of Representatives

Introduction of  
Senate Concurrent Resolutions

Senator Bajoie asked for and obtained a suspension of the rules for the purpose of introducing and reading the following Senate Concurrent Resolutions a first and second time and acting upon them as follows:

SENATE CONCURRENT RESOLUTION NO. 111—  
BY SENATOR ELLINGTON

A CONCURRENT RESOLUTION  
To urge and request the governor to support the Sea Point container transfer facility project.

The resolution was read by title. Senator Ellington moved to adopt the Senate Concurrent Resolution

**ROLL CALL**

The roll was called with the following result:

**YEAS**

Mr. President	Duplessis	Lentini
Adley	Dupre	Malone
Amedee	Ellington	Marionneaux
Bajoie	Fields	McPherson
Barham	Fontenot	Michot
Boasso	Gautreaux, B	Mount
Boissiere	Gautreaux, N	Nevers
Cain	Hollis	Romero
Chaisson	Irons	Smith
Cheek	Jackson	Theunissen
Cravins	Jones	Ullo
Dardenne	Kostelka	

Total—35

**NAYS**

Total—0

**ABSENT**

Hainkel	Holden
Heitmeier	Schedler

Total—4

The Chair declared the Senate had adopted the Senate Concurrent Resolution and ordered it sent to the House.

**Messages from the House**

The following Messages from the House were received and read as follows:

**Message from the House**

**ASKING CONCURRENCE IN  
HOUSE BILLS AND JOINT RESOLUTIONS**

May 17, 2004

To the Honorable President and Members of the Senate:

I am directed to inform your honorable body that the House of Representatives has finally passed and asks your concurrence in the following House Bills and Joint Resolutions:

**HOUSE BILL NO. 1624—**

BY REPRESENTATIVE ARNOLD

**AN ACT**

To amend and reenact R.S. 4:714(B), relative to charitable gaming prizes; to increase the amount of prizes which may be awarded in any one session; and to provide for related matters.

**HOUSE BILL NO. 1692—**

BY REPRESENTATIVE DOWNS

**AN ACT**

To amend and reenact R.S. 22:613(C)(2) and to enact R.S. 22:613(C)(4) and (5), relative to insurable interest; to provide for the insurable interest of an employer in the life of an employee; and to provide for related matters.

**HOUSE BILL NO. 177—**

BY REPRESENTATIVES MONTGOMERY AND JANE SMITH

**AN ACT**

To enact R.S. 17:2138(C), to provide for the applicability of certain requirements for admission to Louisiana public colleges and universities, including minimum scores on specified tests; to provide for effectiveness; to provide for an effective date; and to provide for related matters.

**HOUSE BILL NO. 184—**

BY REPRESENTATIVE GRAY

**AN ACT**

To amend and reenact Children's Code Articles 116(10), 897.1, and 901(E) and R.S. 15:906(B) and 908(A), to enact Children's Code Article 116(24.1) and (24.2), and to repeal Children's Code Article 728(3.1), relative to the confinement of children adjudicated delinquent; to provide for a list of offenses which require confinement; to provide for definitions; to provide for age limitations with respect to the confinement of children; to provide for the furlough of children adjudicated delinquent of certain crimes; to provide for the preparation of a transitional plan; and to provide for related matters.

**HOUSE BILL NO. 190—**

BY REPRESENTATIVE DEWITT

**AN ACT**

To enact R.S. 27:21.1, relative to the Louisiana Gaming Control Law; to require certain gaming licensees and the casino gaming operator to submit a report of the names of all entities providing professional services to those licensees and the casino gaming operator; to provide for definitions; to provide for the imposition of sanctions; to provide for the adoption of rules; to provide for quarterly submission of the report; to provide for exceptions; and to provide for related matters.

**HOUSE BILL NO. 490—**

BY REPRESENTATIVE RITCHIE

**AN ACT**

To repeal R.S. 24:513(A)(1)(b)(v) and (I)(3), relative to the entities subject to audit and review by the legislative auditor; to remove provisions relative to the authority of the legislative auditor to audit certain organizations subject to the open meetings laws which derive a portion of their income from any public agency or body; and to provide for related matters.

**HOUSE BILL NO. 1001—**

BY REPRESENTATIVE K. CARTER

**AN ACT**

To amend and reenact R.S. 22:1732, 1734(introductory paragraph), (2), and (5), and 1735 through 1737 and to enact R.S. 22:1734(7) and 1738 through 1741, relative to long-term care insurance; to provide for scope; to provide for definitions; to provide for disclosure and performance standards; to provide for nonforfeiture benefits; to provide for regulations; to provide for penalties; and to provide for related matters.



**HOUSE BILL NO. 1039—**

BY REPRESENTATIVE MONTGOMERY  
AN ACT

To amend and reenact R.S. 27:52(2)(g) and to enact Chapter 5-A of Title 3 of the Louisiana Revised Statutes of 1950, to be comprised of R.S. 3:560.1 through 560.3, relative to Louisiana agricultural development; to provide for definitions; to prohibit limitations on agricultural and aquacultural markets; to provide relative to the Riverboat Gaming Commission; and to provide for related matters.

**HOUSE BILL NO. 1180—**

BY REPRESENTATIVE MURRAY  
AN ACT

To amend and reenact R.S. 24:513(I)(1)(a) and (c)(ii), (iii), and (iv), relative to the powers and duties of the legislative auditor; to provide relative to discretion of auditor to determine frequency of audit and level of assurance required, depending on amount of revenue received by auditee; to provide relative to amounts of revenue received by auditee; to provide relative to frequency of audits and levels of assurances required for audits; and to provide for related matters.

**HOUSE BILL NO. 1202—**

BY REPRESENTATIVE TOWNSEND  
AN ACT

To amend and reenact R.S. 27:301(B)(12), relative to the definition of a restaurant; to amend the definition of a restaurant as provided for in the Video Draw Poker Devices Control Law; and to provide for related matters.

**HOUSE BILL NO. 1361—**

BY REPRESENTATIVE JOHNS  
AN ACT

To amend and reenact R.S. 22:3053(A)(2), to enact R.S. 22:3053.1, and to repeal R.S. 22:3059(A)(1), (2), and (3) and (C) and 3064, relative to the sale of insurance products; to provide for financial institutions; to provide for statements; to provide for marketing; to provide for records; and to provide for related matters.

**HOUSE BILL NO. 1451—**

BY REPRESENTATIVE MORRELL  
AN ACT

To amend and reenact R.S. 49:992(D)(2), relative to the division of administrative law; to provide for adjudications and hearings functions of the Department of Health and Hospitals; to provide for adjudications and hearings functions of the Department of Social Services; to provide for the delegation of certain functions and authority to the division of administrative law; and to provide for related matters.

**HOUSE BILL NO. 1499—**

BY REPRESENTATIVE FLAVIN  
AN ACT

To amend and reenact R.S. 22:6(16)(a), relative to credit life, health, and accident insurance; to provide for requirements; to provide for credit obligations; and to provide for related matters.

**HOUSE BILL NO. 1510—**

BY REPRESENTATIVE DORSEY  
AN ACT

To enact R.S. 40:1379.5, relative to the powers, functions, and duties of public safety services of the Department of Public Safety and Corrections; to provide that public safety services shall be responsible for the performance of certain functions and duties within the state capitol complex; to provide relative to the responsibility of the deputy secretary for public safety services relative to such functions and duties; to define the state capitol complex for such purposes; and to provide for related matters.

**HOUSE BILL NO. 1545—**

BY REPRESENTATIVES MARTINY AND BRUCE  
AN ACT

To amend and reenact R.S. 27:311(H) and (K)(4), relative to video draw poker device fees; to provide that processing fees are collected annually; and to provide for related matters.

**HOUSE BILL NO. 1562—**

BY REPRESENTATIVE M. POWELL  
AN ACT

To amend and reenact R.S. 17:1201(C)(1)(b), relative to sick leave for members of the teaching staff of public schools; to extend the time period on sick leave required to be provided to a member of such staff who while acting in his official capacity is injured or disabled as a result of physical contact with a student while providing physical assistance to a student for certain purposes; to provide relative to physician certification of such injury or disability; to provide for an effective date; and to provide for related matters.

Respectfully submitted,  
ALFRED W. SPEER

Clerk of the House of Representatives

**House Bills and Joint Resolutions  
on First Reading**

The following House Bills and Joint Resolutions were read a first time by their titles and placed on the Calendar for their second reading:

**HOUSE BILL NO. 177—**

BY REPRESENTATIVES MONTGOMERY AND JANE SMITH  
AN ACT

To enact R.S. 17:2138(C), to provide for the applicability of certain requirements for admission to Louisiana public colleges and universities, including minimum scores on specified tests; to provide for effectiveness; to provide for an effective date; and to provide for related matters.

The bill was read by title; lies over under the rules.

**HOUSE BILL NO. 184—**

BY REPRESENTATIVE GRAY  
AN ACT

To amend and reenact Children's Code Articles 116(10), 897.1, and 901(E) and R.S. 15:906(B) and 908(A), to enact Children's Code Article 116(24.1) and (24.2), and to repeal Children's Code Article 728(3.1), relative to the confinement of children adjudicated delinquent; to provide for a list of offenses which require confinement; to provide for definitions; to provide for

age limitations with respect to the confinement of children; to provide for the furlough of children adjudicated delinquent of certain crimes; to provide for the preparation of a transitional plan; and to provide for related matters.

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BY REPRESENTATIVE DEWITT  
AN ACT

To enact R.S. 27:21.1, relative to the Louisiana Gaming Control Law; to require certain gaming licensees and the casino gaming operator to submit a report of the names of all entities providing professional services to those licensees and the casino gaming operator; to provide for definitions; to provide for the imposition of sanctions; to provide for the adoption of rules; to provide for quarterly submission of the report; to provide for exceptions; and to provide for related matters.

The bill was read by title; lies over under the rules.

**HOUSE BILL NO. 490—**

BY REPRESENTATIVE RITCHIE  
AN ACT

To repeal R.S. 24:513(A)(1)(b)(v) and (I)(3), relative to the entities subject to audit and review by the legislative auditor; to remove provisions relative to the authority of the legislative auditor to audit certain organizations subject to the open meetings laws which derive a portion of their income from any public agency or body; and to provide for related matters.

The bill was read by title; lies over under the rules.

**HOUSE BILL NO. 1001—**

BY REPRESENTATIVE K. CARTER  
AN ACT

To amend and reenact R.S. 22:1732, 1734(introductory paragraph), (2), and (5), and 1735 through 1737 and to enact R.S. 22:1734(7) and 1738 through 1741, relative to long-term care insurance; to provide for scope; to provide for definitions; to provide for disclosure and performance standards; to provide for nonforfeiture benefits; to provide for regulations; to provide for penalties; and to provide for related matters.

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**HOUSE BILL NO. 1039—**

BY REPRESENTATIVE MONTGOMERY  
AN ACT

To amend and reenact R.S. 27:52(2)(g) and to enact Chapter 5-A of Title 3 of the Louisiana Revised Statutes of 1950, to be comprised of R.S. 3:560.1 through 560.3, relative to Louisiana agricultural development; to provide for definitions; to prohibit limitations on agricultural and aquacultural markets; to provide relative to the Riverboat Gaming Commission; and to provide for related matters.

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AN ACT

To amend and reenact R.S. 24:513(I)(1)(a) and (c)(ii), (iii), and (iv), relative to the powers and duties of the legislative auditor; to provide relative to discretion of auditor to determine frequency of audit and level of assurance required, depending on amount of revenue received by auditee; to provide relative to amounts of revenue received by auditee; to provide relative to frequency of audits and levels of assurances required for audits; and to provide for related matters.

The bill was read by title; lies over under the rules.

**HOUSE BILL NO. 1202—**

BY REPRESENTATIVE TOWNSEND  
AN ACT

To amend and reenact R.S. 27:301(B)(12), relative to the definition of a restaurant; to amend the definition of a restaurant as provided for in the Video Draw Poker Devices Control Law; and to provide for related matters.

The bill was read by title; lies over under the rules.

**HOUSE BILL NO. 1361—**

BY REPRESENTATIVE JOHNS  
AN ACT

To amend and reenact R.S. 22:3053(A)(2), to enact R.S. 22:3053.1, and to repeal R.S. 22:3059(A)(1), (2), and (3) and (C) and 3064, relative to the sale of insurance products; to provide for financial institutions; to provide for statements; to provide for marketing; to provide for records; and to provide for related matters.

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**HOUSE BILL NO. 1451—**

BY REPRESENTATIVE MORRELL  
AN ACT

To amend and reenact R.S. 49:992(D)(2), relative to the division of administrative law; to provide for adjudications and hearings functions of the Department of Health and Hospitals; to provide for adjudications and hearings functions of the Department of Social Services; to provide for the delegation of certain functions and authority to the division of administrative law; and to provide for related matters.

The bill was read by title; lies over under the rules.

**HOUSE BILL NO. 1499—**

BY REPRESENTATIVE FLAVIN  
AN ACT

To amend and reenact R.S. 22:6(16)(a), relative to credit life, health, and accident insurance; to provide for requirements; to provide for credit obligations; and to provide for related matters.

The bill was read by title; lies over under the rules.

**HOUSE BILL NO. 1510—**

BY REPRESENTATIVE DORSEY  
AN ACT

To enact R.S. 40:1379.5, relative to the powers, functions, and duties of public safety services of the Department of Public Safety and Corrections; to provide that public safety services shall be

responsible for the performance of certain functions and duties within the state capitol complex; to provide relative to the responsibility of the deputy secretary for public safety services relative to such functions and duties; to define the state capitol complex for such purposes; and to provide for related matters.

The bill was read by title; lies over under the rules.

**HOUSE BILL NO. 1545—**

BY REPRESENTATIVES MARTINY AND BRUCE  
AN ACT

To amend and reenact R.S. 27:311(H) and (K)(4), relative to video draw poker device fees; to provide that processing fees are collected annually; and to provide for related matters.

The bill was read by title; lies over under the rules.

**HOUSE BILL NO. 1562—**

BY REPRESENTATIVE M. POWELL  
AN ACT

To amend and reenact R.S. 17:1201(C)(1)(b), relative to sick leave for members of the teaching staff of public schools; to extend the time period on sick leave required to be provided to a member of such staff who while acting in his official capacity is injured or disabled as a result of physical contact with a student while providing physical assistance to a student for certain purposes; to provide relative to physician certification of such injury or disability; to provide for an effective date; and to provide for related matters.

The bill was read by title; lies over under the rules.

**HOUSE BILL NO. 1624—**

BY REPRESENTATIVE ARNOLD  
AN ACT

To amend and reenact R.S. 4:714(B), relative to charitable gaming prizes; to increase the amount of prizes which may be awarded in any one session; and to provide for related matters.

The bill was read by title; lies over under the rules.

**HOUSE BILL NO. 1692—**

BY REPRESENTATIVE DOWNS  
AN ACT

To amend and reenact R.S. 22:613(C)(2) and to enact R.S. 22:613(C)(4) and (5), relative to insurable interest; to provide for the insurable interest of an employer in the life of an employee; and to provide for related matters.

The bill was read by title; lies over under the rules.

**Messages from the House**

The following Messages from the House were received and read as follows:

**Message from the House**

**ASKING CONCURRENCE IN  
HOUSE CONCURRENT RESOLUTIONS**

May 17, 2004

To the Honorable President and Members of the Senate:

I am directed to inform your honorable body that the House of Representatives has finally passed and asks your concurrence in the following House Concurrent Resolutions:

**HOUSE CONCURRENT RESOLUTION NO. 192—**

BY REPRESENTATIVE BROOME

**A CONCURRENT RESOLUTION**

To recognize Thursday, June 10, 2004, as Lady Tigers Day at the Louisiana State Capitol in honor of the remarkable achievements of the Louisiana State University Lady Tigers basketball team.

Respectfully submitted,

ALFRED W. SPEER

Clerk of the House of Representatives

**House Concurrent Resolutions  
on First Reading**

The following House Concurrent Resolutions were read a first time by their titles and placed on the Calendar for their second reading:

**HOUSE CONCURRENT RESOLUTION NO. 192—**

BY REPRESENTATIVE BROOME

**A CONCURRENT RESOLUTION**

To recognize Thursday, June 10, 2004, as Lady Tigers Day at the Louisiana State Capitol in honor of the remarkable achievements of the Louisiana State University Lady Tigers basketball team.

The resolution was read by title; lies over under the rules.

**Reports of Committees**

The following reports of committees were received and read:

**REPORT OF COMMITTEE ON**

**REVENUE AND FISCAL AFFAIRS**

Senator Mount, Chairman on behalf of the Committee on Revenue and Fiscal Affairs, submitted the following report:

May 17, 2004

To the President and Members of the Senate:

I am directed by your Committee on Revenue and Fiscal Affairs to submit the following report:

**HOUSE BILL NO. 471—**

BY REPRESENTATIVE MURRAY  
AN ACT

To amend and reenact R.S. 47:2110(A)(2)(i), relative to the ad valorem tax; to provide for the timely payment of taxes paid under protest; and to provide for related matters.

Reported favorably.

**HOUSE BILL NO. 880—**

BY REPRESENTATIVE HAMMETT  
AN ACT

To amend and reenact R.S. 47:1522, relative to the Department of Revenue; to authorize the secretary to enter into contracts to conduct alternative dispute resolution to assist in the collection of any taxes, penalties, or interest due; to limit the total tax liability subject to arbitration or mediation to five million dollars; to provide for an effective date; and to provide for related matters.

Reported favorably.

**HOUSE BILL NO. 1115—**

BY REPRESENTATIVE HAMMETT  
AN ACT

To amend and reenact R.S. 47:1606, relative to the Department of Revenue; to authorize the Department of Revenue to assess a distraint cost penalty; to provide for an effective date; and to provide for related matters.

Reported with amendments.

**HOUSE BILL NO. 1472—**

BY REPRESENTATIVE MURRAY  
AN ACT

To amend and reenact R.S. 35:281, relative to the certain filings with the board of assessors in Orleans Parish; to require taxpayers to notify the board of change; and to provide for related matters.

Reported favorably.

**HOUSE BILL NO. 1575 (Substitute for HB No. 1219 by Representative Hammett)—**

BY REPRESENTATIVE HAMMETT  
AN ACT

To amend and reenact R.S. 47:1561.1(A), relative to the Department of Revenue; to authorize the Department of Revenue to assess certain costs in officer liability actions; to provide for an effective date; and to provide for related matters.

Reported favorably.

**HOUSEBILL NO. 1696 (Substitute for House Bill No. 1303 by Representative Hammett)—**

BY REPRESENTATIVE HAMMETT  
AN ACT

To amend and reenact R.S. 47:1621(E) and 1624(A) and to enact R.S. 47:115(C), relative to refunds and credits; to provide for certain situations in which interest on refunds of overpayments will begin to accrue; to provide for the recovery of credits given for overpayments later deemed invalid; to provide for an effective date; and to provide for related matters.

Reported with amendments.

Respectfully submitted,  
WILLIE MOUNT  
Chairperson

**Message to the Governor**

**SIGNED SENATE BILLS**

May 14, 2004

To the Honorable Governor of the State of Louisiana:

The President of the Senate and the Speaker of the House of Representatives have signed the following Senate Bills:

**SENATE BILL NO. 193—**

BY SENATORS BAJOE, SCHEDLER AND HOLDEN AND  
REPRESENTATIVES DURAND AND MURRAY  
AN ACT

To enact Chapter 3 of Title 28 of the Louisiana Revised Statutes of 1950, to be comprised of R.S. 28:311 through 313, relative to children's mental health services; to provide for the creation of a pilot program for a system of care for the delivery of children's mental health services; to provide for the establishment of the Louisiana Youth Enhanced Services consortium; to provide for membership in the consortium; to provide for the jurisdiction of the consortium; to provide guidelines and principles to be used in preparing such a plan; and to provide for related matters.

**SENATE BILL NO. 233 (Duplicate of House Bill No. 93)—**

BY SENATOR NEVERS AND REPRESENTATIVE STRAIN AND  
COAUTHORED BY SENATORS CRAVINS, DUPLESSIS AND  
ROMERO AND REPRESENTATIVES BALDONE, BRUCE, LAFLEUR,  
T. POWELL, ROMERO, SCALISE, SCHNEIDER, WHITE AND  
WOOTON

AN ACT

To amend and reenact R.S. 15:574.2(B), relative to parole; to provide with respect to the parole of offenders convicted of certain offenses against a peace officer; and to provide for related matters.

**SENATE BILL NO. 303—**

BY SENATOR HOLDEN AND REPRESENTATIVE HONEY  
AN ACT

To amend and reenact that part of Section 9(B)(14) of Act 1134 of the 2003 Regular Session of the Legislature, as amended by Act 3 of the 2004 First Extraordinary Session of the Legislature, which is applicable to the allocation and distribution of funds in East Baton Rouge Parish, relative to the Revenue Sharing Fund; to provide with respect to certain distributions in East Baton Rouge Parish for Fiscal Year 2003-2004; to provide for the retroactive application of this Act; and to provide for related matters.

and they are hereby presented for executive approval.

Respectfully submitted,  
GLENN A. KOEPP  
Secretary of the Senate

**Message from the House**

**SIGNED HOUSE BILLS AND  
JOINT RESOLUTIONS**

May 17, 2004

To the Honorable President and Members of the Senate:

I am directed to inform your honorable body that the Speaker of the House of Representatives has signed the following House Bills and Joint Resolutions:

**HOUSE BILL NO. 65—**

BY REPRESENTATIVE HILL

AN ACT

To amend and reenact R.S. 3:2133, relative to the prevention of contagious or communicable diseases in animals; to provide for penalties for improper disposal of certain animal carcasses or failure to restrain certain animals; and to provide for related matters.

**HOUSE BILL NO. 327—**

BY REPRESENTATIVE DURAND

AN ACT

To authorize and provide for the transfer of certain state property situated in St. Martin Parish to the respective lessees; to provide for certain terms and conditions; and to provide for related matters.

**HOUSE BILL NO. 355—**

BY REPRESENTATIVE MARTINY

AN ACT

To amend and reenact R.S. 15:571.4(B)(1), relative to diminution of sentence; to authorize the forfeiture of good time in certain circumstances involving escape; and to provide for related matters.

**HOUSE BILL NO. 599 (Duplicate of Senate Bill No. 340)—**

BY REPRESENTATIVES GARY SMITH AND SENATOR CHAISSON  
AND COAUTHORED BY REPRESENTATIVE PIERRE

AN ACT

To amend and reenact R.S. 56:1855(L), relative to scenic rivers; to authorize certain environmental remediation activities on Bayou Trepagnier; and to provide for related matters.

**HOUSE BILL NO. 711—**

BY REPRESENTATIVE BROOME

AN ACT

To amend and reenact R.S. 22:669(A)(4) and (B), relative to certain mandated insurance benefits for mental illness; to provide relative to payable benefits and reimbursement for certain services provided by a social worker; and to provide for related matters.

**HOUSE BILL NO. 914—**

BY REPRESENTATIVE MCVEA

AN ACT

To authorize and provide for the exchange of certain state property in West Feliciana Parish to West Feliciana Parish Police Jury; and to provide for related matters.

**HOUSE BILL NO. 944—**

BY REPRESENTATIVES SCALISE, BOWLER, ALARIO, ANSARDI, BRUNEAU, LABRUZZO, LANCASTER, MARTINY, AND WOOTON  
AND SENATORS BOISSIERE, HEITMEIER, HOLLIS, LENTINI, AND ULLO

AN ACT

To enact R.S. 33:4570.12, relative to naming of public grounds; to name a portion of LaSalle Park in Jefferson Parish as the Oswald-Dubea Arboretum and Nature Center of LaSalle Park; to provide for an exemption from R.S. 14:316; and to provide for related matters.

and asked that the President of the Senate affix his signature to the same.

Respectfully submitted,

ALFRED W. SPEER

Clerk of the House of Representatives

The House Bills and Joint Resolutions contained herein were signed by the President of the Senate.

**Message from the House**

**SIGNED HOUSE CONCURRENT RESOLUTIONS**

May 17, 2004

To the Honorable President and Members of the Senate:

I am directed to inform your honorable body that the Speaker of the House of Representatives has signed the following House Concurrent Resolutions:

**HOUSE CONCURRENT RESOLUTION NO. 46—**

BY REPRESENTATIVE LAMBERT

A CONCURRENT RESOLUTION

To urge and request the Department of Transportation and Development to study the feasibility of constructing an interstate interchange along Interstate 10 at Louisiana Highway 74 in Ascension Parish.

**HOUSE CONCURRENT RESOLUTION NO. 55—**

BY REPRESENTATIVE FAUCHEUX

A CONCURRENT RESOLUTION

To urge and request the Department of Transportation and Development to study the practicality and feasibility of designing and utilizing traffic roundabouts as an alternative to traffic signals at heavily traveled and congested intersections along state highways and to report its findings to the House and Senate Transportation, Highways and Public Works Committees prior to the convening of the 2005 Regular Session.

**HOUSE CONCURRENT RESOLUTION NO. 61—**

BY REPRESENTATIVES MCDONALD, ALARIO, ALEXANDER, ARNOLD, BADON, BALDONE, BAUDOIN, BAYLOR, BEARD, BRUCE, BURNS, BURRELL, K. CARTER, R. CARTER, CROWE, CURTIS, DANIEL, DARTEZ, DOERGE, DORSEY, DOVE, DOWNS, ERDEY, FANNIN, FAUCHEUX, GRAY, E. GUILLORY, M. GUILLORY, HAMMETT, HEATON, HEBERT, HILL, HONEY, HOPKINS, JEFFERSON, KATZ, ODINET, PIERRE, PITRE, T. POWELL, QUEZAIRE, RICHMOND, RITCHIE, ROMERO, SALTER, SHEPHERD, SMILEY, GARY SMITH, JACK SMITH, STRAIN, TOWNSEND, TRAHAN, TRICHE, WADDELL, WALKER, WALSWORTH, WINSTON, WOOTON, AND WRIGHT

A CONCURRENT RESOLUTION

May 17, 2004

To memorialize the United States Congress to appropriate funds for design and construction assistance for water-related environmental infrastructure and resource development and protection projects in Louisiana.

**HOUSE CONCURRENT RESOLUTION NO. 178—**  
BY REPRESENTATIVE MARCHAND

**A CONCURRENT RESOLUTION**

To recognize May 17, 2004, as Alpha Kappa Alpha Sorority, Incorporated Day at the Legislature of Louisiana and to commend the organization for its service.

**HOUSE CONCURRENT RESOLUTION NO. 181—**  
BY REPRESENTATIVE WALKER AND SENATOR HINES

**A CONCURRENT RESOLUTION**

To express sincere and heartfelt condolences upon the death of Filmore Paul "F. P." Bordelon, Jr., M.D. of Marksville.

and asked that the President of the Senate affix his signature to the same.

Respectfully submitted,  
ALFRED W. SPEER  
Clerk of the House of Representatives

The House Concurrent Resolutions contained herein were signed by the President of the Senate.

**Leaves of Absence**

The following leaves of absence were asked for and granted:

Holden	1 Day	Schedler	1 Day
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**Adjournment**

Senator Bajoie moved that the Senate adjourn until Tuesday, May 18, 2004, at 1:30 o'clock P.M.

The President of the Senate declared the Senate adjourned until 1:30 o'clock P.M. on Tuesday, May 18, 2004.

GLENN A. KOEPP  
Secretary of the Senate

GAYE F. HAMILTON  
Journal Clerk